

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2652 of 2015

In
MA 760 of 2009

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Umesh Prasad, son of Vyas Prasad of M/s. Kuber Bhandar, resident of
Kaurihar Chowk, P.S.- Raxaul, Distt- East Champaran.

.... Appellant/Petitioner

Versus

1. The Union of India through its Secretary, Ministry of Finance, New Delhi.
2. The Commissioner of Customs, Patna.

.... Respondents/Opp. Parties

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate with
Mr. Dhananjaya Nath Tiwari, Advocate
For the Customs Dept. : Mr. Satya Prakash Tripathy, Sr.Standing
Counsel, Customs

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA**

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

2 26-10-2016 Heard learned counsel for the petitioner and learned
counsel for the Customs Department.

The application has been filed for modification of the
order dated 6.4.2015 passed in Miscellaneous Appeal No.760 of
2009 by which it was directed that on the appellant depositing
10% of the penalty amount as directed by the Tribunal within a
period of eight weeks from the date of the order, the appeal shall
be heard by the Tribunal on its merits.

Mr. N.K.Agrawal, learned Sr.Counsel for the petitioner
submits that on account of the change of the telephone/mobile
number of the petitioner, learned counsel for the petitioner could
not inform him about the order as a result of which the order could
not be complied with within the time granted and, accordingly, a

prayer for extension for a period of two weeks from today has been made.

On a consideration of the facts and circumstances mentioned in the application, the order dated 6.4.2015 passed in Miscellaneous Appeal No.760 of 2009 is modified to the extent that the time granted therein for deposit of the amount shall stand extended for a further period of two weeks from today.

The modification application is, accordingly, disposed of.

(Ramesh Kumar Datta, J)

(Anjana Mishra, J)

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