

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1326 OF 2015
IN
CENTRAL EXCISE APPEAL NO. 169 2014**

Ms. Arjandas Metal Industries Pvt. Ltd.	...Appellant
<i>Versus</i>	
The Commissioner of Central Excise	...Respondent

Mr. Vikram Nankani, Senior Advocate, a/w Mr. Jitendra Motwani, i/b M/s. Economic Laws Practice, for the Applicant/Appellant.
Mr. Neelesh V. Kalantri, for the Respondents.

**CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.
DATED: 18th January 2016**

PC:-

1. Having heard both sides and finding that the Applicant has placed a further Affidavit pointing out the financial difficulties post the order passed by this Court as well, that in these peculiar circumstances and without this order being treated as a precedent, we grant time till 31st December 2016 to deposit the balance sum, which should be deposited in equal monthly instalments, the first commencing from 25th January 2016. Any two defaults shall result in all consequences following in law. No further applications of the

present nature shall be entertained. If the amount as directed above is paid and proof of deposit is produced, the Tribunal shall decide the Appeal in accordance with law.

2. This order is passed because in paragraph 5 of the Affidavit in Support, it is stated that the Applicant which is a Private Limited Company has made a payment of Rs. 30 Lakhs on 23rd July 2015 but unable to make the further payment as pointed out in the Additional Affidavit of the Managing Director of the Applicant, aged 87 years.

(G. S. PATEL, J.)

(S. C. DHARMADHIKARI, J.)