

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.122 OF 2016
IN
CENTRAL EXCISE APPEAL NO.18 OF 2016

DHL Express (India) Pvt. Ltd.	Applicant
versus	
The Commissioner of Service Tax-I	Respondent

Mr.Prakash Shah with Mr.Prasad Paranjape, Arun Jain and Jas Sanghavi i/by M/s.PDS Legal for Appellant/Applicant.

Mr.Pradeep S. Jetly with Mr.J.B.Mishra for Respondent.

CORAM : S.C.DHARMADHIKARI AND
G.S.PATEL, JJ.

DATE : 01 February 2016

PC :

1. Having heard Mr.Shah and Mr.Jetly on the point of stay and since we have admitted the appeal on the substantial questions of law, interest of justice would be served if the following direction is issued :

(a) On the Applicant depositing a sum of Rs.30 crores (Rs.Thirty crores only) with the Revenue on or before 31 March 2016, there will be an interim stay of recovery of tax, interest and penalty by coercive measures, pending the appeal;

(b) Needless to clarify that in default of payment within the above stipulated period, all consequences in law shall follow.

2. To enable the Applicant to comply with the above directions, we direct that till 31 March 2016, no coercive steps be taken to recover the tax, interest and penalty.

3. Notice of Motion No.122 of 2016 stands disposed of. No order as to costs.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)

MST