

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CAO NO. 2077 OF 2015 IN MCA ST. NO. 22938 2015
IN CENTRAL EXCISE APPEAL NO. 9 OF 2015

(M/s. Shridhar Casting Pvt. Ltd. & Anr. vs. Union of India thr. Secretary, Ministry of Finance & Anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
JANUARY 08, 2016.**

Shri Mirza, learned counsel for the applicant/ appellant states that for the reasons disclosed on affidavit, there is delay in moving application for modification.

MCA Stamp No. 22938 of 2015 is filed for modification of the order dated 26.8.2015 passed in Central Excise Appeal No. 9 of 2015. The submission is, the CESTAT had sought pre-deposit of Rs. Three lakh and this court should allow the applicant to offer bank guarantee in lieu thereof.

It is obvious that the pre-deposit was ordered by CESTAT and appeal under Section 35(G) of the Central Excise Act, 1944, was looked into by this Court against that direction. Not finding any substantial question of law arising, appeal has been disposed of.

As such, there is no question and scope for any modification in the present proceedings. As such, the present application is disposed of. No costs.

JUDGE

JUDGE

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