

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 681 OF 2016

The Principal Commissioner of
Customs (NS-II) ..Petitioner
versus
Responsive Industries Ltd. & Anr. ..Respondents

Mr. Pradeep Jetly for Petitioner.
Mr. V. Shridharan - Senior Counsel with Mr. T. Vishwanathan, Mr. Jas Sanghavi and Mr. Prakash Shah i/b. PDS Legal for Respondent No. 1.

**CORAM: S. C. DHARMADHIKARI &
SMT. BHARATI HARISH DANGRE, JJ.**

DATE : 31ST JANUARY, 2018

P. C. :

1] We have heard both sides on the earlier occasion and even today in great details.

2] After a brief hearing both sides agree that reasons need not be assigned and the following order be passed :-

(A) The impugned final order of the Settlement Commission, copy of which is at Exhibit 'G' page 133 onwards of the paper book is quashed and set aside;

(B) The settlement application preferred by the respondent - assessee stands restored to the file of the Settlement Commission for a decision afresh and in accordance with law;

(C) The Settlement Commission shall proceed from the stage of the application being admitted to its file;

(D) Since both sides are agreed that the requisite materials are on the file of the Settlement Commission, no further documents shall be tendered and allowed to be taken on record by the Commission;

(E) The Settlement Commission shall pass a fresh order without being influenced by any of its earlier findings and as expeditiously as possible;

(F) Since the matter is very old, the Settlement Commission shall give to this application the requisite priority and endeavour to dispose of the case within a period of four months from the date of communication of this order;

(G) We clarify that we have not expressed any opinion on the rival contentions;

(H) The petition is disposed of accordingly.

(SMT. BHARATI H. DANGRE, J.)

(S. C. DHARMADHIKARI, J.)