

Sharayu Khot.

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

NOTICE OF MOTION NO. 154 OF 2018

IN

CENTRAL EXCISE APPEAL NO. 10 OF 2011

M/s. S.G. International & Anr. ...Applicants

In the matter between

Commissioner of Central Excise ...Appellant

Versus

M/s. S.G. International ...Respondent

Mr. R.V. Desai, Senior Counsel, a/w Mr. Sharad Shetty a/w Mr. R.Y. Shetty, for the Applicants.

Mr. Pradeep S. Jetly, a/w Mr. J.B. Mishra, for the Respondent.

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, JJ.**

DATE : 24 August 2018

ORDER :

1. Shri. Desai, the learned Senior Counsel appearing

for the Applicants in support of the Motion urges that as the Appeal is of the year 2011, hearing be expedited and a date be fixed for final disposal.

2. *Prima facie*, the issue is not covered by any decision of the Supreme Court and of our Court. It gives rise to the debatable issue which may take some time. However, considering the fact that the Revenue has filed an Appeal from the impugned order seeking restoration of the Appellant's Appeal which was dismissed for non-deposit of penalty. It would be appropriate to expedite the hearing of the Appeal and put the same on the list of expedited Appeals.

3. Liberty to apply. Notice of Motion is disposed of in the above terms.

[RIYAZ I. CHAGLA J.]

[M.S. SANKLECHA, J.]