

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE **S.MANIKUMAR**
and
THE HONOURABLE MR.JUSTICE **SUBRAMONIUM PRASAD**

Cont.P.No.1956 of 2018

M/s.Novel Impex ... Petitioner

Versus

1. Mr.Rajan Chowdhary
The Commissioner of Customs (Group-3)
Chennai II Commissionerate,
No.60, Rajaji Salai,
Customs House,
Chennai - 600 001.

2. Mr.Aravindh
The Deputy Commissioner of Customs (Group-3)
No.60, Rajaji Salai,
Customs House,
Chennai - 600 001. .. Respondents

Prayer: This Contempt Petition filed under Section 11 of the Contempt of Court Act, 70/71 to punish the respondent for having committed contempt of Court for disobeying the order dated 03.08.2018 and made in WA No.1645 of 2018.

For Petitioner : Mr.N.Viswanathan

For Respondents : Mrs.R.Hemalatha
Central Govt. Standing Counsel

ORDER

(Order of the Court was made by **S.MANIKUMAR, J.**)

Alleging that order made in WA No.1645 of 2018 dated 03.08.2018, has not been implemented in letter and spirit, instant contempt petition is filed.

2. At paragraph No.11 in WA No.1645 of 2018 dated 03.08.2018, we ordered as hereunder:

"11. Placing on record the above submission, writ appeal is disposed of with a direction to the respondents to file the statutory appeal within two weeks from today, failing which order of CESTAT, Madras, in final order No.41201 of 2018 in C/40687/2018-DB dated 13.04.2018, should be implemented. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed."

3. On this day, when the Contempt Petition came up for further hearing, Mrs.R.Hemalatha, learned Central Government Standing Counsel appearing for the respondents submitted that Civil Miscellaneous Appeal, had already been filed and numbered as CMA No.1913 of 2018 and is slated to be posted for admission on 28.08.2018.

4. Recording the above said submission, we are of

the view that there is no wilful and deliberate act of contempt, warranting action under the provisions of the

Contempt of Courts Act. Hence, Contempt Petition is disposed of. No Costs.

SD/
ASSISTANT REGISTRAR (Comm.Cases)

//Certified to be true copy//

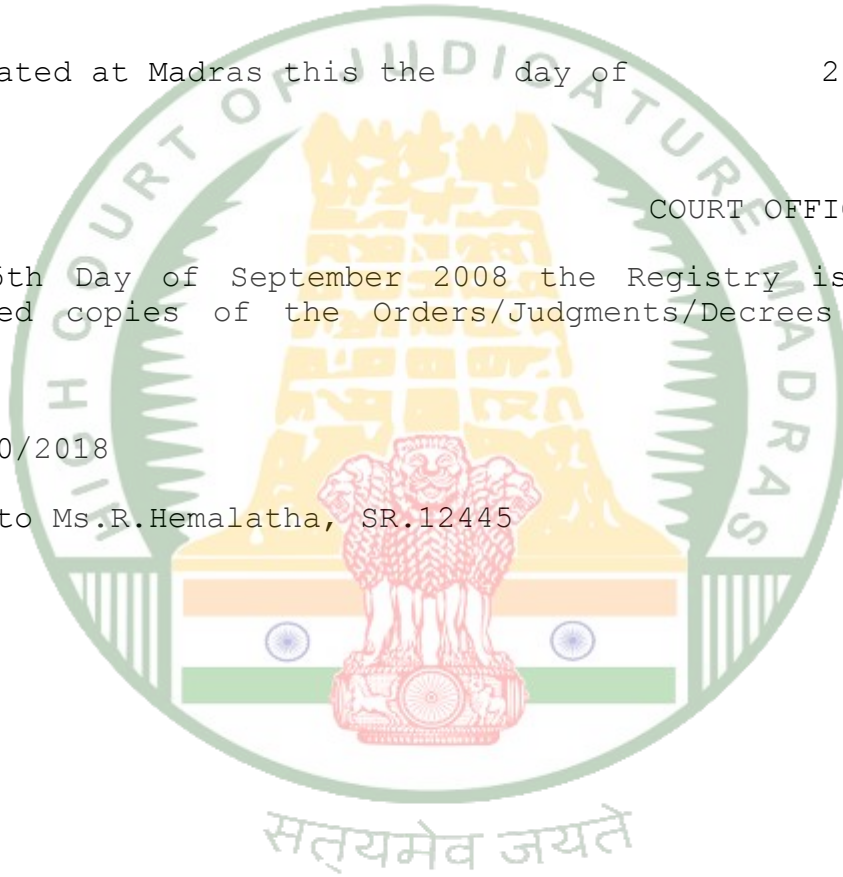
Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

CO/03/10/2018

One CC to Ms.R.Hemalatha, SR.12445



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