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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CUSTOM A. 2/2019 & CM APPL.20916/2019 (Stay)**

SSAPP OVERSEAS PVT. LTD.

..... Appellant

Through: Mr. Chinmaya Seth & Mr. Ekansh
Mishra, Advs.

versus

COMMISSIONER OF CUSTOMS (EXPORT) Respondent

Through: Mr. Amit Bansal & Mr. Aman
Revaria, Advs.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **15.07.2019**

CM APPL. 20915/2019 & 20917/2019 (Exemption)

Allowed, subject to all just exceptions.

Applications stand disposed of.

CUSTOM A. 2/2019

1. This appeal has been preferred challenging the order passed by CESTAT on 19.12.2018. Looking to the facts and circumstances of the case, it appears that the order in appeal before the CESTAT was passed on 22.12.2017 by Customs (Appeal) which was received by the appellant on 31.12.2017. The last date to prefer an appeal before CESTAT was 31.03.2018.

2. Looking to the facts and circumstances of the case, it appears that

father-in-law of the appellant was suffering from illness. Later on he was hospitalised and expired on 12.04.2018.

3. The delay has been caused because of the illness of the father-in-law of this appellant. We, therefore, condone the delay in filing the appeal before CESTAT subject to cost of Rs.10,000/- to be deposited with Delhi High Court Bar Association Library Fund within a period of four weeks from today.

4. The pending appeal bearing No.C/53059/2018 before CESTAT is hereby revived and the same will be decided in accordance with law by CESTAT, New Delhi.

5. The parties will appear before the CESTAT, New Delhi on 01.08.2019 and thereafter the date will be given by CESTAT, New Delhi.

6. With the aforesaid observation, this custom appeal is allowed and disposed of. CM Application No.20916/2019 also stands disposed of.

7. Copy of this order will be sent to President, Delhi High Court Bar Association (DHCBA).

CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 15, 2019
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