

Pradnya Bhogale

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

**INTERIM APPLICATION NO. 1 OF 2020
IN
CENTRAL EXCISE APPEAL NO. 26 OF 2013**

Sterlite Technologies Limited
(Previously known as Sterlite Optical
Technologies Limited)

..Applicant

vs.

Commissioner of Central Excise and Service Tax,
LTU (Mumbai)

..Respondent

.....

Mr. Ramnath Prabhu I/b. Mr. P.K. Shetty for Applicant.
Mr. Pradeep S. Jetly a/w Mr. J.B. Mishra for Respondent.

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**CORAM : NITIN JAMDAR &
M.S.KARNIK, JJ.**

DATE : 11 FEBRUARY 2020

P.C.:-

The learned counsel for the Applicant states that the Applicant had given a bank guarantee pursuant to the order passed by this Court in the Appeal and upon withdrawal of the Appeal, the Bank Guarantee be returned. A communication dated 19 December 2019 issued by the Prothonotary and Senior Master of this Court is annexed. It is stated that for failure to submit the renewal of the Bank Guarantee the same stands invoked.

2. Learned counsel for the Applicant states that this communication is based on incorrect factual position as renewal of the Bank Guarantee had already taken place till May 2020. It is not clear either from the application or from the order whether upon invocation, the bank has deposited the money in this Court.

3. Stand over to 14 February 2020.

4. Registry will submit a report as to whether the letter dated 19 December 2019 is acted upon.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)