



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Fifth day of January Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mrs.Justice PUSHPA SATHYANARAYANA

and

The Hon'ble Mrs.Justice S.KANNAMMAL

CMP (MD) Nos.5950, 5951, 5952 & 5949 of 2020

IN

CMA (MD) Nos.571 to 574 of 2020

THE COMMISSIONER OF CUSTOMS,
CUSTOM HOUSE,
NEW HARBOUR ESTATE,
TUTICORIN-628 004.

... PETITIONER/APPELLANT
(in all the petitions)

Vs

SHRI REGIN.P
PROPRIETOR OF M/S.REGIN AGENCY,
ALLUVILAL KARUKKANKUZH,
THIKKANNAM CODE POST,
KANYAKUMARI-629 864.

... RESPONDENT/RESPONDENT
(in CMP (MD) No.5950/2020)

M/S.DANIEL AND SAMUEL LOGISTICS PVT.LTD,
NO.4B/222, CGE COLONY,
5TH STREET,
TUTICORIN-628 003.

... RESPONDENT/RESPONDENT
(in CMP (MD) No.5951/2020)

M/S. ZION LOGISTICS
NO.S-28/A, MASILAMANIPURAM,
TUTICORIN-628 008.

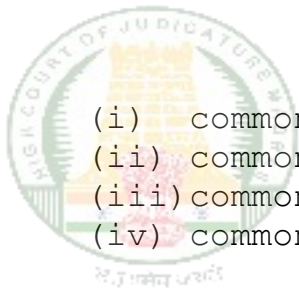
... RESPONDENT/RESPONDENT
(in CMP (MD) No.5952/2020)

M/S.REGIN EXPORTS,
NO.3/60, PULLUVILAI POOKADAI,
THIRUTHAN CODE POST,
KANYAKUMARI-629 174.

... RESPONDENT/RESPONDENT
(in CMP (MD) No.5949/2020)

Prayer in Civil Miscellaneous Petitions:

Petitions filed praying that in the circumstances stated therein and in the affidavits filed therewith the High Court may be pleased to stay the operation of the



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|---|---------------------------|
| (i) common final order no. 42433/2018 | (in CMP(MD) No.5950/2020) |
| (ii) common final order no. 42434/2018 | (in CMP(MD) No.5951/2020) |
| (iii) common final order no. 42435/2018 | (in CMP(MD) No.5952/2020) |
| (iv) common final order no. 42432/2018 | (in CMP(MD) No.5949/2020) |

respectively, dated 17.09.2018 passed by the CESTAT pending disposal of the appeals.

Prayer in Civil Miscellaneous Appeals :

Civil Miscellaneous Appeals filed Under Section 130 of The Customs Act, 1962 may be pleased to consider the above appeal and set aside the impugned

- | | |
|--|--------------------------|
| (i) common final order No. 42433 of 2018 | (in CMA(MD) No.571/2020) |
| (ii) common final order No. 42432 of 2018 | (in CMA(MD) No.572/2020) |
| (iii) common final order No. 42434 of 2018 | (in CMA(MD) No.573/2020) |
| (iv) common final order No. 42435 of 2018 | (in CMA(MD) No.574/2020) |
- respectively, dated 17.09.2018 passed by the CESTAT, Chennai .

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.R.ARAVINDAN, Advocate for the petitioner in all the petitions and of Mr.ISSAC MOHANLAL, Senior Counsel for M/s.ISSAC CHAMBERS on behalf of the Respondents in all the petitions, while admitting the Civil Miscellaneous Appeals, the Court made the following order:-

(Order of the Court was made by **PUSHPA SATHYANARAYANA, J**)

These Petitions have been filed to stay the operation of the common final order Nos.42433,42434,42435 and 42432 of 2018, dated 17.09.2018 passed by the CESTAT, pending disposal of the above appeals.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Upon perusing the orders impuged herein and the connected material papers, this Court is of the considered opinion that granting of stay as sought for by the Petitioner/appellant is not necessary at this stage and hence, all these Petitions stand dismissed.

sd/-
05/01/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

THE CUSTOMS, EXCISE AND
SERVICE TAX APPELLATE TRIBUNAL,
CHENNAI.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-39[I] dated 05/01/2021)

ORDER IN
CMP(MD) No.5950,5951,5952&5949/2020
IN
CMA(MD) No.571 to 574 of 2020
Date :05/01/2021

VSN
SRS/SMA/SAR-IV/07.01.2021/3P/3C