

17.08.2023

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W.P.C.R.C. 152 of 2023

in

W.P.A. 14787 of 2011

With

CAN 4 of 2015 (old No. CAN 3068 of 2015)

CAN 5 of 2016 (old No. CAN 12 of 2016)

CAN 6 of 2016 (old No. CAN 6569 of 2016)

M/s. North Bihar Plywood Industries,
a Proprietorship Firm & anr.

Vs.

Sanjoy Kumar Agarwal & ors.

Mr. Sudeep Sanyal

Mr. Snehasis Jana

... for the petitioners

Mr. Shiv Sankar Banerjee

Mr. Abhradip Maity

... for the alleged contemnors/
respondents

The compliance report filed by the alleged contemnors shows that the pre-deposit had been paid along with interest at the rate of 6% p.a.

Counsel on behalf of the petitioners submits that the rate of interest as per Section 11BB of the Central Excise Act, 1944 should be in the range of 5% to 35%. He also submits that the interest paid by the alleged contemnors is 6%, which is at the lower end of the spectrum.

In my view, since no specific interest was directed to be awarded by the order of CESTAT, there is sufficient compliance by the alleged contemnors.

Accordingly, no further order need to be passed in this contempt proceeding and the same is disposed of.

Let rule of contempt be discharged. Personal appearance of the alleged contemnors namely, Mr. Sankar Lal, Joint Commissioner of Central GST and Central Excise Division Purnea, who is present in Court and Mr. Bijoy Bihari Mahapatra, Chief Commissioner, Central Excise Division, Patna, who is present virtually before this Court, is dispensed with.

The contempt proceeding is dropped. All the connected applications, if any, stand disposed of.

(Shekhar B. Saraf, J.)