JITEM No.1 Court No. 9 SECTION III
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.Nos. 1 & 4 IN Civil Appeal.No.3844/2000

PROCTOR & GAMBLE INDIA LTD. Appellant (s)

VERSUS

COMMNR. OF CENTRAL EXCISE, BHOPAL Respondent (s)

(For stay and directions)

Date : 16/01/2001 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. PHUKAN

For Appellant (s) Mr. DA. Dave, Sr.Adv.
Mr. Vikram Nankani, Adv.
Ms. Ruby Singh Ahuja, Adv.for
Mrs Manik Karanjawala,Adv.

For Respondent (s) Mr. Mukul Rohtagi, ASG.
Mr. KC. Kaushik, Adv.
Mr. Rajiv Nanda, Adv. for
Mr. B. Krishna Prasad,Adv.

UPON hearing counsel the Court made the following
O R D E R

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On 31.7.2000 while admitting the appeal we issued notice on application for stay. While so the appellant filed I.A.No.4 of 2000 seeking a direction which amounts to granting stay even before the case was taken up by this Court on the stay application. We have, therefore, heard these two petitions.

Having heard the learned counsel for the parties we are of the view that interest of justice would be met by passing the following interim order: so far as the impugned order relates to penalty, it is stayed; so far as it relates to the duty we direct the detention order dated 27.12.2000 shall be raised and the impugned order shall remain stayed on furnishing a bank guarantee in a sum equal to the amount of duty. The bank guarantee shall be furnished within two weeks. I.A.No.4 of 2000 and the stay petition are ordered accordingly.

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(S.Thapar) (Kanwal Singh)@@
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PS to Registrar Court Master@@
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