

SUPREME COURT OF INDIA

G.T.C. Industries Ltd.

Vs.

Collector, Central Excise

(Sujata V.Manohar and D.P.Wadhwa JJ.)

12.09.1997

ORDER

1. Heard both sides. The appeal was entertained by CEGAT as the Delhi High Court by its order dated 3-5-1994 directed the appellant to give bank guarantees for Rs. 17 crores and an undertaking not to alienate its assets. This was in place of the order of CEGAT under Section 35F directing a deposit of Rs. 18 crores and bank guarantee for the remaining amount of duty of Rs. 51 crores. The High Court's direction was complied with. However, after the appeal was disposed of, at the time of encashment of bank guarantees, it was found that a bank guarantee for Rs. 7 crores had lapsed. The Delhi High Court directed deposit of Rs. 7 crores. The appellant has not deposited Rs. 7 crores in the High Court as directed. We have seen the detailed order of CEGAT. Looking to all the facts and circumstances, we do not find any merit in the appeals. The Civil Appeals are dismissed.

S.L.P. (C) No. 14324/1997:

2. From the same order of CEGAT the appellant filed a writ petition before the Gujarat High Court. While the reasons for rejection given in the High Court judgment cannot be endorsed, we do not propose to interfere looking to all the facts and circumstances of the present case. Special leave petition is dismissed.