

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

CIVIL APPEAL NO(s). 5989-5990 OF 2012  
(for prel.hearing)

M/S BHARTI AIRTEL LTD.&amp; ANR

Appellant (s)

VERSUS

COMMISSIONER OF CUSTOMS, BANGALORE

Respondent(s)

(With appln(s) for ex-parte stay and office report )

Date: 07/09/2012 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s) Mr.K.K.Venugopal, Sr.Adv.  
Mr.V.Lakshmi Kumaran,Adv.  
Mr.Alok Yadav, Adv.  
Charanya L.Sampath, Adv.  
Mr.Atul Sharma, Adv.  
Mr.Krishan Mohan Menon, Adv.  
For Mr.M.P.Devanath,Adv.

For Respondent(s) Mr.R.F.Nariman, Sol.Genl.of India  
Mr.Ritin Rai, Adv.  
Mr.Farrukh Rasheed, Adv.  
Mr.A.K.Sharma, Adv.

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

1. Appeals admitted.

2. Mr.A.K.Sharma, learned counsel appears and takes notice on behalf of the respondent.

3. The impugned order passed by the Customs, Excise & Service Tax Appellate Tribunal, Bangalore in Customs Appeal Nos.573-574/2008 dated 7.6.2012, subject to the appellants' depositing a sum of Rs.209 crores plus a sum of Rs.9 crores and ten lacs, within six weeks' time from today with the respondent-authority as well as the demand notice issued for payment of penalty under Section 114-A of the Customs Act, 1962 is stayed, till the disposal of the appeals. If, for any reason, the appellants succeed in the appeals, the amount so deposited by the appellants shall be refunded by the respondent authority within six weeks' from the date of the order.

: 2 :

Insofar as the interest is concerned, the Bench will decide the same accordingly.

Tag with C.A.No.4831/2009.

(G.V.Ramana)  
Court Master

(Vinod Kulvi)  
Court Master