

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL**  
Old Red Building, 38 M.G. Marg, Civil Lines, Allahabad-211001  
Regional Branch, Allahabad

**DEFECT DAIRY NUMBER. : 700602019**

**Appellant : Mukesh Mahesh Kumar Kothari**

**Respondent : C.C. & C.E. & S.T.-Noida**

**Present for the Appellant: Shri Ashish Batra, Advocate**

**Present for the Respondent: Shri Pawan Kumar Singh, Superintendent**

**DEFECT-ORDER SHEET**

<b>DATE OF HEARING</b>	<b>ORDERS</b>
<b>14/05/2019</b>	1. Notice issued on _____

Defect memo stands issued by the registry directing the appellant to deposit 7.5% of penalty imposed upon him, in terms of Section 129E of the Customs Act.

2. Learned advocate appearing for the appellant submits that some time be given to them they would deposit the amount in question. He also explains that they have not deposited the same earlier inasmuch as they were to receive amount of Rs.3.16 lakhs from the Revenue as a result of passing of favourable order by the Tribunal Delhi in matter arising out of the same investigations and they were under the impression that such amount already lying with the Revenue would satisfy the condition under Section 129E of the Customs Act. However, he seeks ten days time to deposit the amount.

3. In view of the above, we direct the appellant to make requisite pre-deposit and report the matter on **23 May, 2019**, matter to be listed before the Bench.

Sd/-  
**(Archana Wadhwa)**  
**Member (Judicial)**

Sd/-  
**(Anil G. Shakkarwar)**  
**Member (Technical)**

*Lks*