

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL (L) NO.429 OF 2023

Sterlite Optical Technologies Ltd. ...Appellant
Versus
Commissioner of Customs & Central Excise ...Respondent

WITH
CENTRAL EXCISE APPEAL NO.56 OF 2008

The Commissioner of Central Excise
& Customs ...Appellant
Versus
M/s. Sterlite Optical Technologies Limited ...Respondent

Mr. Jitendra B. Mishra a/w. Mr. Dhananjay B. Deshmukh for
Respondents in CEXA(L)/429/2023 and for the Appellant in
CEXA/56/2008.

CORAM : G. S. KULKARNI,
JITENDRA JAIN, J.J.

DATE : 18th JULY, 2023.

P.C.

1. The proceedings were listed before us on 11th July 2023, on the backdrop of the prior orders. The office report in regard to the original record of the proceedings being awaited from the Supreme Court was the reason to adjourn the present proceedings. In pursuance to our earlier order, the office has placed a report dated 17th July 2023 that the Registry has received record in relation to Central Excise

Appeal No.56 of 2008 from the Supreme Court as also a soft copy of the record of Civil Appeal No.2869 of 2007 has been received and the physical copy is yet to be received. In the aforesaid circumstances, the office to place paper book before this Court on the adjourn date of hearing.

2. As the Respondents are not represented and the proceedings are listed on remand in view of the orders dated 30th November 2022, passed by the Supreme Court issue notice to the Respondents, returnable after four weeks.

3. In addition to Court notice, the Petitioner is permitted to serve Respondents by private notice and after the Respondents are duly served, to file an affidavit-of-service in the Registry before the next date.

4. List the matter on **22nd August 2023**.

[JITENDRA JAIN, J.]

[G. S. KULKARNI, J.]