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C.A.No. 2399 OF 2003
ITEM No.37

Court No. 7

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

Civil Appeal No.2399/2003

COMMNR. OF CENTRAL EXCISE, CALICUT

Appellant (s)

VERSUS

M/S. HERBAL PRODUCTS
(With Appln(s). for ex-Parte stay and condonation of delay
in filing appeal and Office Report)

Respondent (s)

Date : 19/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Appellant (s)Mr. Raju Ramachandran, ASG
Mr. Rajiv Nanda, Adv.

Mr. B. Krishna Prasad,Adv.

For Respondent (s)Mr. S.Sooriya Kumaren, Adv.
Mr. S. Srinivasan,Adv.

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

The appeal is dismissed in terms of the signed order.

There will be no order as to costs.

Anita

(Jasbir Singh)
Court Master

(Signed order is placed on the file.)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2399 OF 2003

COMMISSIONER OF CENTRAL EXCISE, CALICUT

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Appellant (s)

Versus

M/S. HERBAL PRODUCTS

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Respondent (s)

O R D E R

The point raised in this appeal is fully covered by the Judgment of this Court in the case of Commissioner of Central Excise, Calcutta vs. Sharma Chemical Works reported in (2003) 5 SCC 60 . For the reasons set out therein, this appeal stands dismissed. There will be no order as to costs.

.....J.

(S.N.Variava)

.....J.

(H.K.Sema)

New Delhi,
January 19, 2004.