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C.A.No. 1080 OF 1998

ITEM No.107

Court No. 2

SECTION -III

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO. 1080/1998

ARM Limited Thro V.P.

Appellant(s)

VERSUS

Commissioner of Customs, Madras  
(With office report)

Respondent (s)

Date:10.2.2004 :This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
HON'BLE MR. JUSTICE G.P. MATHUR

For Appellant (s)Mr. V. Krishna Murthy, Adv.

For Respondent (s) Mr. Raju Ramachandran, ASG  
Mr. Rajiv Nanda, Adv.  
Mr. B.K. Prasad, Adv.

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

The appeal is allowed in terms of the signed order.

( Meenu Sethi )  
Court Master

(Om Prakash)  
Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1080/1998

ARM Limited

...

Appellant

VERSUS

The Commissioner of Customs, Madras

...

Respondent

O R D E R

The grievance made by the appellant in this appeal is that when the matter was posted for hearing on 8.9.1997, the name of the Advocate on record was not shown in the cause list and, therefore, due arrangement could not be made for appearance and in such circumstances the appeal came to be disposed of by the tribunal. The respondent is not in a position to controvert this position. In the circumstances, we set aside the order made by the tribunal and remit the matter to the tribunal for fresh disposal in accordance with law. The appeal is allowed accordingly.

.....J.

( S. RAJENDRA BABU )

.....J.

( G.P. MATHUR )

New Delhi,

February 10, 2004.