

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). 1070 OF 2001

M/S. MOHAN STEELS LTD.
(s)

Appellant

VERSUS

COMMNR. OF CENTRAL EXCISE, KANPUR
(s)

Respondent

(With application for ex-parte stay and with office report)

Date: 12/09/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s) Mr. A.R.Madhav Rao, Adv.

Mr. Alok Yadav, Adv.for

Mr. M.P. Devanath, Adv.

For Respondent(s) Dr. R.G.Padia, Sr. Adv.

Mr. Ashok K. Srivastava, Adv.for

Mr. P.Parmeswaran, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We noticed from the order passed by the Commissioner that different Commissionerate and the officers subordinate to them are taking different views on the interpretation of Notification No. 202/88. On the previous date of hearing, we had directed the counsel appearing for the department to seek

clarification from the Board as to whether the goods purchased by the appellant as waste were dutiable or not. Learned senior counsel appearing for the department today states that he has not been able to get instructions and seeks more time to seek clarification from the Board.

By way of last opportunity, adjourned by another six weeks to do the needful.

(PARVEEN KR. CHAWLA)

Court Master

(KANWAL SINGH)

Court Master