

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.2774 OF 2001

COMMNR. OF CENTRAL EXCISE, BHUBNESWAR

Appellant(s)

VERSUS

M/S PARADEEP PHOSPHATES LTD.

Respondent(s)

(with office report)

Date: 20/04/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s)

Mr. K.Radhakrishnan, Sr. Adv.

Mr. Kunal Verma, Adv.

Mr. P.Parmeswaran, Adv.

For Respondent(s)

Mr. Joseph Vellapally, Sr. Adv.

Mr. Ashok Sagar, Adv.

Mr. Dinesh Mathur, Adv.

Ms. Padmini, Adv.

Mr. Raghvesh Singh, Adv. for

M/s J.B.Dadachanji & Co.

UPON hearing counsel the Court made the following

O R D E R

Counsel for the respondent-assessee has brought to our notice that subsequent to the order passed by the Tribunal in the present case, Government of India has taken a decision to reimburse the importers of any import duty paid on capital equipments imported by new fertilizers plant and in pursuance to the said decision the respondent-assessee has already been reimbursed the customs duty paid by it during the pendency of this case. Seeks a short adjournment to put on record this fact in the form of a affidavit along with the relevant documents. May do so on or before 27th April, 2006 with an advance copy to the counsel for the department who may verify and respond to the same on or before 3rd May, 2006.

To be listed as Part-heard on 4th May, 2006 subject to overnight part-heard.

(Parveen Kr. Chawla)

(Kanwal Singh )

Court Master

Court Master