

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 2136 OF 2004

COMMR. OF CENTRAL EXCISE, MUMBAI

Appellant (s)

VERSUS

M/S. MANIK INDUSTRIAL ENGG. LTD.

Respondent(s)

(With appln(s) for ex-Parte stay and office report)

WITH

Special Leave Petitions (C) Nos.10964/2004, 12188/2004, 20092/2004, 23293-23295/2004 and 10721 of 2004

(With prayer for interim relief and office report)

Civil Appeal NO. 3407 of 2004

(With appln. for stay and with office report)

Date: 04/11/2008 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Appellant(s) Mr. K. Radhakrishnan, Sr.Adv.

Mr. Abhishat Tiwary, Adv.

Ms. Anil Katiyar, Adv.

Mr. P. Parmeswaran,Adv.

For Respondent(s) Mr. Gaurav Kejriwal, Adv.

Ms. Ruby Singh Ahuja,Adv.

Mrs. Lalita Kaushik, Adv.

Mr. Rajesh Kumar, Adv.

Mr. Shivaji M. Jadhav, Adv.

UPON hearing counsel the Court made the following
ORDER

Civil Appeal No. 2136 of 2004

The appeal is allowed with no order as to costs.

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SLP(C) No. 20092 of 2004

Leave granted.

The appeal is allowed with no order as to costs.

Rest of the matters to come up in the usual course.

(S. Thapar)
PS to Registrar

(Madhu Saxena)
Court Master

Two signed orders are placed on the file.
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2136 OF 2004

COMMISSIONER OF CENTRAL EXCISE, MUMBAI-III ...APPELLANT (S)

VERSUS

M/S MANIK INDUSTRIAL ENGG. LTD.
RESPONDENT(S)

...

ORDER

This matter is squarely covered by the judgment of the Larger Bench of this Court in the case of Union of India & Others Vs. Dharmendra Textile Processors & Others, reported in 2008 (13) SCALE 233, in favour of the Department.

Accordingly, the Civil Appeal filed by the Department stands allowed with no order as to costs.

.....J.
[S.H. KAPADIA]

.....J
[B. SUDERSHAN REDDY]

New Delhi,
November 04, 2008

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6524 OF 2008
(Arising out of SLP(C) No. 20092 of 2004)

COMMISSIONER OF CENTRAL EXCISE, MUMBAI-III ...APPELLANT (S)

VERSUS

M/S MANIK INDUSTRIAL ENGG. LTD.
RESPONDENT(S)

...

ORDER

Leave granted.

This matter is squarely covered by the judgment of the Larger Bench of this Court in the case of Union of India & Others Vs. Dharmendra Textile Processors & Others, reported in 2008 (13) SCALE 233, in favour of the Department.

Accordingly, the Civil Appeal filed by the Department stands allowed with no order as to costs.

.....J.
[S.H. KAPADIA]

.....J
[B. SUDERSHAN REDDY]

New Delhi,
November 04, 2008