

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).871/2007

(From the judgment and order dated 27.9.2006 in Appeal No. ST/100/2005 of the CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL, NEW DELHI)

M/S BSBK (P) LTD.,BHILAI

Petitioner(s)

VERSUS

COMMR.OF CENTRAL EXCISE,RAIPUR
(With prayer for interim relief)

Respondent(s)

Date: 30/11/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. Huzefa Ahmadi, adv.
Mr. Sanjay Grover, adv.
Mr. Rajesh Kumar,Adv.

For Respondent(s) Mr. Mohan Parasaran, ASG,
Mr. K.K.Senthilvelan, Adv.
Mr. Sushil Kumar, adv.
Mr. B. Krishna Prasad,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.
The appeal is disposed of in terms of the signed order.

(Shashi Sareen)
Court Master

(Vijay Aggarwal)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2007
(Arising out of SLP(C) No.871/2007)

M/S. BSBK (P) LTD., BHILAI

... Appellant(s)

Versus

COMMR. OF CENTRAL EXCISE, RAIPUR

... Respondent(s)

ORDER

Heard learned counsel for the parties.

Leave granted.

Considering the fact that the appeal before the Customs,
Excise & Service Tax Appellate Tribunal, New Delhi (in short

'CESTAT') was decided ex-parte, we set aside the impugned order and remit the matter to CESTAT to hear the matter afresh. To avoid unnecessary delay, the parties are directed to appear before CESTAT without any further notice on 18th January, 2008. If any of the parties does not appear on that date, the matter shall be taken up and decided in accordance with law. However, we make it clear that we have not expressed any opinion on the merits of the case. The appeal is disposed of.

.....J.
(Dr. ARIJIT PASAYAT)

.....J.
(AFTAB ALAM)

New Delhi,
November 30, 2007.