

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. 3812 OF 2003

UNION OF INDIA & ORS

Appellant (s)

VERSUS

M/S S.R.G. INTERNATIONAL
(With office report)

Respondent(s)

CIVIL APPEAL NO. 3815/2003
Union of India & Ors. vs. M/s Garg concast Ltd.
(With office report)

CIVIL APPEAL NO. 3814/2003
Union of India & Ors. vs. Ragini Steels Pvt. Ltd.
(With office report)

CIVIL APPEAL NO. 3813/2003
Union of India & Ors. vs. M/s Garg Forgings & Castings Ltd.
(With office report)

Date: 20/10/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s) Mr. Arijit Prasad, Adv.
Mr. B.K. Prasad, Adv.

For Respondent(s) Ms. Manjula Gupta, Adv.

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

The appeals are dismissed in terms of the signed order. Ad-interim orders dated 13th December, 2002 and 17th February, 2003 are vacated with the clarification that no refund of duty draw back in terms of the impugned order is payable to the respondents-assessees.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master

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

CIVIL APPEAL NO. 3812 OF 2003

Union of India & Ors.

.. Appellant(s)

Versus

M/s S.R.G. International

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WITH

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O R D E R

Learned counsel appearing for the Union of India states that as per his instructions, pursuant to show cause notices issued to the respondents-assessees, adjudication orders were passed but are under challenge before the High Court. We are of the view that in light of the said statement, these appeals are rendered infructuous inasmuch as these were filed by the Revenue against the order passed by the High Court directing refund of duty draw back in the absence of the show cause notices.

The appeals are dismissed accordingly. Ad-Interim orders dated 13th December, 2002 and 17th February, 2003,

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..2/-

are vacated with the clarification that no refund of duty draw back in terms of the impugned order is payable to the respondents-assessees.

.....J.
[D.K. JAIN]

.....J.
[H.L. DATTU]

NEW DELHI,
OCTOBER 20,2010.