

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 1833-1835/2004

COMMNR. OF CENTRAL EXCISE

Appellant(s)

VERSUS

M/S GOVIND PRINTING WORKS

Respondent(s)

(with office report)

Date : 30/03/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s) Ms. Nisha Bagchi,Adv.
Mr. Sreedhar Potaraju,Adv.
Mr. Abhay Kumar,Adv.
Ms. Pooja Sharma,Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent(s)
Mr. K. C. Dua,Adv.

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

The appeals are dismissed in terms of the signed order.

(SUMAN WADHWA)
AR-cum-PS

(SUMAN JAIN)
COURT MASTER

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1833-1835 OF 2004

Commnr. Of Central Excise

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M/s. Govind Printing Works

Respondent(s)

O R D E R

We find that the CESTAT in its impugned order dated 7.10.2003, while allowing the appeal, has recorded a categorical finding that there was no evidence to establish that the power operative jiggers were installed since April 1995 and therefore the demand of duty from April 1995 was legally unsustainable. The appeals challenging these findings of fact would be clearly impermissible.

The appeals are accordingly dismissed.

.....J.
(A.K.SIKRI)

.....J.
(ROHINTON FALI NARIMAN)

New Delhi;
Date: 30.3.2015.