

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5751-5758/2004

(From the judgement and order dated 18/06/2003 in FO No. 299-306/2003 of The CUSTOMS, EXCISE &

GOLD (CONTROL) APPELLATE TRIBUNAL, WEST ZONAL BENCH, MUMBAI)

COMMNR. OF CENTRAL EXCISE, AURANGABAD

Petitioner(s)

VERSUS

M/S.SANKET FOOD PRODUCTS PVT. LTD.& ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 10/04/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE MR. JUSTICE DALVEER BHANDARI

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr.Mohan Parasaran,ASG.

Mr.Navin Prakash,adv.

Mr. P. Parmeswaran,Adv.

For Respondent(s)

Mr. Joseph Vellapally,Sr.Adv.

Ms. Manjula Gupta,Adv.

UPON hearing counsel the Court made the following

O R D E R

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High Court is the
ssed with
appeal on

It is stated by learned counsel appearing on beha
parties that the appropriate remedy would be Sec.35-
Excise Act. Since the appeal was filed after the amendment was in
giving jurisdiction to the High Court, clearly the
appropriate Forum. The special leave petition is accordingly dismi
liberty to the petitioner to approach the High Court by way of an
the same cause of action.

[SUMAN WADHWA]

COURT MASTER

[MADHU SAXENA]

COURT MASTER