

case in which we find that unnecessary litigation is being generated. The question which arises for consideration is whether CoS was right in granting NOC to one Public Sector Undertaking and denying the same to the other.

On the larger issue this Special Leave Petition stands adjourned for four weeks. However, as regards the merits of the case is concerned, we may point out that in this Special Leave Petition, Electronic Corporation of India Limited had instituted a Writ Petition in the Andhra Pradesh High Court challenging the decision of the Tribunal dated 16th January, 2007 on the question of reversal of Cenvat/Modvat credit which question has not been decided by the High Court and which has dismissed the writ petition only on the ground that CoS had declined giving of NOC.

In the circumstances, we grant permission to Electronic Corporation of India Limited to file an independent Special Leave Petition against the decision of the Tribunal before this Court. Learned Attorney General very fairly states that if such an SLP is filed within four weeks from today he will not oppose the SLP on the ground of limitation.

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The Special Leave Petition is stood over for six weeks.

(S. Thapar)
PS to Registrar

(Madhu Saxena)
Court Master