

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.1631 OF 2001

M/S A.S. IMPEX LIMITED

Appellant(s)

VERSUS

COMMNR. OF CENTRAL EXCISE, NEW DELHI

Respondent(s)

(with application for permission to place addl. documents on record  
and with office report)

WITH CIVIL APPEAL NOS.4530-4532 OF 2005

(with application for permission to place addl. documents on record  
and with office report)

Date: 29/03/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr. Alok Yadav, Adv. for

Mr. V.Balachandran, Adv. (In CA 1631)

Mr. M.P. Devanath, Adv. (In CA 4530-32)

For Respondent(s)

Mr. K.Radhakrishnan, Sr. Adv.

Mr. Mohit Chaudhary, Adv. for

Mr. P.Parmeswaran, Adv.

UPON hearing counsel the Court made the following

O R D E R

Doubting the correctness of the judgment of this Court in the case of Thermax Private Limited vs. Collector of Customs reported in 1992 (61) ELT 352 (SC) = 1992 (4) SCC 440, a three Judge Bench in the case of Commissioner of Central Excise, New Delhi vs. Hari Chand Shri Gopal reported in 2005 (188) ELT 353 (SC) has referred the matter to a larger Bench.

Since the point involved in the present appeals is regarding the applicability of the law laid down in Thermax's case (supra), correctness of which has been doubted, we deem it appropriate if these appeals are also tagged with Civil Appeal Nos.1878-1880 of 2004 referred to a larger Bench. We order accordingly.

(Parveen Kr. Chawla)

Court Master

(Kanwal Singh )

Court Master