

VITEM NO.5

COURT NO.2

SECTION III

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.1418 OF 2010
(For Prel. Hearing)

M/S. BSBK PVT.LTD.

Appellant (s)

VERSUS

COMMISSIONER OF CENT.EXCISE, RAIPUR

Respondent(s)

(With appln(s) for ex-parte stay)

Date: 19/02/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Appellant(s)

Mr. Joseph Vellapally, Sr. Adv.
Mr. Sanjay Grover, Adv.
Mr. K.V. Mohan, Adv.

For Respondent(s)

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

Issue notice, limited to the question which
is raised in this civil appeal.

It is the case of the assessee that even if
the Department is right in its contention, namely,
that the assessee has not rendered Consulting
Engineer's Service [CES], even, in that event, the
assessee has paid excess tax, in view of the fact
that the assessee has not taken the benefit of
abatement.

Dasti service, in addition, is permitted.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Court Master