

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. 5309 OF 2003

ASHOK SAHAKARI SAKAR KARKHANA LTD. Appellant (s)

VERSUS

COMMNR. OF CENTRAL EXCISE, AURANGABAD Respondent(s)

(With appln(s) for stay and office report)

Date: 08/01/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Appellant(s) Mr. Krishan Kumar, Adv.
Mr. Kailash Pandey, Adv.
Mr. Ranjeet Singh, Adv.
Mr. Sridhar Potaraju, Adv.

For Respondent(s) Mr. A.S. Chandhiok, ASG
Mr. Harish Chandra, Sr. Adv.
Mr. Arijit Prasad, Adv.
Mr. P.S. Parmar, adv.
Ms. Shaheen Parveen, Adv.
Mr. B. Krishna Prasad, Adv.

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

The appeal is allowed and the impugned order is set aside
with no order as to costs.

	[Charanjeet Kaur]		[Kusum Gulati]	
Court Master		Court Master		

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5309 OF 2003

|Ashok Sahkari Sakar Karkhana Ltd. |.. Appellant(s) |

Versus

|Commissioner of Central Excise, Aurangabad |.. Respondent(s) |

O R D E R

Admittedly, order dated 10th March, 2004, passed by the Commissioner of Central Excise and Customs (Appeals), Aurangabad in F.No. 350/AUR/2001 has not been challenged by the revenue and has thus, attained finality insofar as the question of method of valuation for the molasses captively used is concerned. In that view of the matter, order passed by the Customs, Excise and Gold (Control) Appellate Tribunal, West Regional Bench, Mumbai, passed in Appeal No. A/190/96 cannot be sustained. Consequently, the appeal is allowed and the impugned order is set aside, with no order as to costs.

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[D.K. JAIN, J.]

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[MADAN B. LOKUR, J.]

NEW DELHI,
JANUARY 08, 2013.