

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.4283 OF 2009

C.C.E., BHOPAL

Appellant (s)

VERSUS

M/S.BHANSALI ENGG.POLYMERS LTD.

Respondent(s)

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

Date: 14/12/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

For Appellant(s)

Mr. Gopal Subramaniam,SG.
Ms. Madhurima Tatia,Adv.
Mr. Aman Ahluwalia,Adv.
Mr. Abhishek Tiwari,Adv.
Ms. Anil Katiyar,Adv.

For Respondent(s)

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

The civil appeal is dismissed.

However, we wish to clarify that, in this case, we are dismissing the civil appeal only on the ground that the Tribunal has recorded a finding of fact that the show cause notice was barred by limitation. Hence, the issue of classification is kept expressly open.

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

[Madhu Saxena]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4283 OF 2009

Commissioner of Central Excise, Bhopal

...Appellant(s)

Versus

M/s. Bhansali Engg. Polymers Limited

...Respondent(s)

O R D E R

The civil appeal is dismissed.

However, we wish to clarify that, in this case, we are dismissing the civil appeal only on the ground that the Tribunal has recorded a finding of fact that the show cause notice was barred by limitation. Hence, the issue of classification is kept expressly open.

.....J.
[S.H. KAPADIA]

.....J.
[AFTAB ALAM]

New Delhi,
December 14, 2009.