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C.A.No. 5478 OF 2001
ITEM No.33

Court No. 6

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.5478/2001

COMMNR. OF CENTRAL EXCISE, JAIPUR Appellant (s)

VERSUS

M/S. MODERN WOOLENS MILLS LTD.Respondent (s)

(Office Report for direction)

Date : 14/07/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE G.P. MATHUR

For Appellant (s) Ms. Smitha Inna, Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent (s) Mr. Rajesh Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

The matter has been put up by the Registry on the assumption that in terms of the order dated 23rd July, 2001, it is connected with the appeal which has since been decided by the Constitution Bench on 19th April, 2001 (C.A.No.5373/1999 - Collector of Central Excise Vs. M/s Man Structural Ltd.). The said judgment, however, relates to Tariff Item No. 73.08 of the Central Excise Tariff which covers structures. The present case relates to yarn. Prima facie, therefore, it is clear that the case is not covered. The appeal will be listed in due course.

(S. Thapar) (V.P. Tyagi)
PS to Registrar Court Master