

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 310, 4432-4434, 5489, 5490, 5491, 6054 and 6407 of 2011 AND  
1571, 1575-1582 and 1585 OF 2012 and 7710 of 2014 and C.A. NO. 293-294 of 2009

WITH

INTERLOCUTORY APPLICATION NO. 7-9  
(Application for Stay in C.A. Nos. 4432-34 of 2011)

WITH

INTERLOCUTORY APPLICATION NO. 1  
(Application for Stay in C.A. No. 5489 of 2011)

AND

INTERLOCUTORY APPLICATION NO. 1  
(Application for condonation of delay in filing the petitions of appeal in C.A No.  
6054 , 6407 of 2011 AND 1571 and 1585 of 2012)

AND

INTERLOCUTORY APPLICATION NO. 1 -8 and 9-16  
(Application for condonation of delay in filing and re-filing the petitions of appeal in  
C.A Nos. 1575-1582 of 2012)

Commissioner of Customs

...Appellant

-Versus-

M/s. Sameera Trading Company etc. etc.

...Respondents

OFFICE REPORT

The matters were listed before the Hon'ble Court on 18<sup>th</sup> September, 2014,  
when the Court was pleased to pass the following order :

**“Released from part-heard.**

At the time of hearing of these appeals, our attention was drawn to an order dated 24<sup>th</sup> January, 2011 passed in Commissioner of Customs, Guntur Etc. Vs. M/s. Muneer Enterprises Etc. (Civil Appeal Nos. 1053-1057 of 2011 @ Civil Appeal D. No. 40025 of 2010), whereby on a similar issue the appeals filed by the Commissioner of Customs had been dismissed.

We feel that the issue requires reconsideration and, therefore, the Registry is directed to place these matters before Hon'ble the Chief Justice of India so that the matters may be referred to a three-Judge Bench.”

**Service position in each of the matter is as under:-**

**C.A. Nos. 310, 4432-4434 and 5489 OF 2011**

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete in these matters. Mr. Senthil Jagadeesan, Advocate has filed vakalatnama and appearance on behalf of sole respondent in C.A. No. 310 of 2011 and C.A. 5489 of 2011 and Mr. V.N. Raghupathy, Advocate has filed vakalatnama and appearance on behalf of sole respondent in 4432-4434 of 2011.

It is further submitted that statement of case has been filed by Advocate for the Appellant as well as respondents except in C.A. Nos. 4432-4434 of 2011. Copies of the same have been included in the paper books.

**C.A. No. 5490 of 2011.**

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as Mr. Senthil Jagadeesan, Advocate has filed vakalatnama and appearance on behalf of sole respondent. Counsel for appellant has filed statement of case. Copy of the same has been included in paper books.

**C.A. No. 5491 of 2011.**

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as Mr. Senthil Jagadeesan, Advocate has filed vakalatnama and appearance on behalf of sole respondent. Counsel for both the parties have filed statement of case. Copies of the same have been included in paper books.

**C.A. No. 6054 of 2011**

It is submitted that service of Notice of Petition of Appeal is complete . Mr. E.R. Sumathy, Advocate has filed vakalatnama and appearance on behalf of sole respondent

**C.A. No. 6407 of 2011**

It is submitted that A.D. card duly signed has been received from sole respondent, but no one has entered appearance so far.

**C.A. Nos. 1571, 1575-1582 AND 1585 OF 2012**

It is submitted that Service of Notice of Lodgment of Petition of the Appeal is complete as the sole respondent is represented through M/s. AP & J Chambers, Advocates and Mr. Nikhil Nayyar, Advocate respectively.

**C.A. No. 7710 OF 2014**

It is submitted that service of Notice of Lodgment of Petition of the Appeal is complete as the sole respondent has been served with the dasti notice on 20<sup>th</sup> July, 2016, but no one has filed vakalatnama and appearance on behalf of the sole respondent so far.

**CIVIL APPEAL NOS. 293-294 OF 2009.**

The matters above-mentioned were listed before the Hon'ble Court on 15<sup>th</sup> July, 2015, when the Court was pleased to pass the following order :

**“Learned counsel for the appellant has brought to our notice the orders dated 18.09.2014, passed in Civil Appeal No. 310 of 2011, referring the matter to a three-Judge Bench. He submitted that the issue involved in the present appeals is the same, which is raised in Civil Appeal No. 310 of 2011.**

**Accordingly, this appeal be tagged along with Civil Appeal No. 310 of 2011.”**

It is submitted that service of notice of lodgment of petition of appeal is complete as the sole respondent is represented through Mr. B.K. Prasad, Advocate.

It is further submitted that counsel for both the parties have filed statement of case. Copies of the same have been included in the paper books.

The matters alongwith applications above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 12<sup>th</sup> day of August, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate  
Central Agency Section.
2. Mr. Senthil Jagadeesan, Advocate  
212, New Lawyer's Chambers
3. Mr. E.R. Sumathy,. Advocate  
113 Lawyer's Chamber.
4. Mr. V. N. Raghupathy, Advocate  
15, New Lawyer's Chamber.
5. M/s. A.P & J Chamber, Advocates  
12, Lawyer's Chamber

ASSISTANT REGISTRAR