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SLP(C)No. 9423-9432 OF 2000

ITEM No.1

Court No. 6

SECTION III  
X, XVIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.9423-9432/2000

(From the judgement and order dated 21/01/2000 in Appeal Nos.  
C/692-697/98-AD & C/63-66/99-AD of the CUSTOMS, EXCISE &  
GOLD (CONTROL) APPELLATE TRIBUNAL, NEW DELHI)

TATA CHEMICALS LTD.

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(With prayer for interim relief & office report)  
With

SLP(C)No.20463/2000, SLP(C)No.20464/2000, W.P(C)No.558/2000, T.C.(C)No.6/2001,  
SLP(C)No.9781-9790/2000, TC(C) No...../2002 @ TP(C) Nos.846-847/2001

Date : 05/03/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr.Joseph Vellapally, Sr.Adv.  
in SLP 9423-32/00 M/s PS Shroff, Sunil Dogra, AK Roy,  
& WP 558/00 Manu Nair, Advs.for  
M/s SA Shroff & Co.

Mr.Joseph Vellapally, Sr.Adv.  
M/s P.Venugopal, PS Sudheer,  
KJ John, Advs.for KJ John & Co.

in SLP 9781-90/00 Mr.P.Chidambaram, Sr.Adv.  
M/s PS Shroff, Sunil Dogra,  
AK Roy, Manu Nair, Advs.  
for M/s SA Shroff & Co.

in SLP 20463/00 Mr.GL Sanghi, Sr.Adv.  
& for RR 9423-32/00 Mr.Ajit K.Sinha, Adv.

in TC 6/01 & for Mr.RK Jain, Sr.Adv.  
intervenor in WP 558 Mrs.Mukti Chaudhry,  
Ms.Manshi Khanna, Advs.for  
M/s OP Khaitan & Co.

For Respondent (s) Mr.Mukul Rohtagi, ASG  
in SLP 9423-32 & Mr. Ajit Kumar Sinha, Adv.  
9781-90/2000  
for ptnr in  
SLP 20464/00

Mr. Shanti Bhushan, Sr. Adv.  
Mr. Salman Khurshid, Sr. Adv.  
M/s. Imtiaz Ahmed, Suhail Nathani,  
Naghma Imtiaz, Adv.  
Mr. RD Upadhyay, Adv.

Mr. RN Trivedi, ASG  
M/s KC Kaushik, Jaideep Gupta, Advs.  
M/s BK Prasad, SN Terdol, Advs.

Mr. Joseph Vellapalli, Sr. Adv.  
M/s Vanita Bhargava, Bina Gupta,  
Divya Roy, Advs.

Mr. Deepankar Gupta, Sr. Adv.  
M/s RS Suri, JS Chhabra, VK Shailendra,  
Rohan Shah, Chandra Bhushan,  
Sameer Nanda, Advs.

M/s Rakesh Tikku, Arun K. Sinha,  
Rakesh Singh, Advs.

M/s UA Rana, Prashant Bezboruah, Advs.  
for M/s Gagrat & Co.

Ms. Praveena Gautam, Adv.  
Mr. Pramod B. Aggarwala, Adv.

Mr. H.K. Puri, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J.....J  
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It is submitted by Mr. Mukul Rohatgi, learned Additional Solicitor General appearing for the respondents, that against the impugned order of the CEGAT a two Judge Bench of this Court by order dated May 11, 2000 declined to entertain the S.L.Ps filed by another party. In respect of the same impugned order S.L.Ps. Nos. 9423-9432/2000 filed by the petitioner, another two Judge Bench by Order dated August 24, 2000 held that the S.L.Ps. would be maintainable and ordered notice. In view of this apparent conflict, submits the learned Additional Solicitor General, the cases may be placed before a three Judge Bench. Mr. Shanti Bhushan, learned senior counsel and the other senior counsel also adopted

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the same submission. Mr. P. Chidambaram, the learned senior counsel appearing for the petitioner submits that a Writ Petition is already filed therefore this question may not be relevant. In view of the above position and in view of importance of the question involved in these cases we think that it would be appropriate to place the cases before a three Judge Bench. The Registry is directed to seek orders from Hon'ble the Chief Justice of India and place the cases before a three Judge Bench preferably at an early date.

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Court Master

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