

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7003 OF 2003

UNION OF INDIA & ANR. ...Appellants

VERSUS

M/S. J.M. INDUSTRIES ...Respondent

O R D E R

In the Special Civil Application No. 5711 of 2002 filed by the respondent herein, High Court of Gujarat has passed the impugned order dated 06.08.2002 directing the appellant herein-Union of India-to pay interest on the amount which was deposited by the respondent and which had become payable as the respondent had succeeded on merits.

The impugned order has been challenged in the present proceedings on the ground that against the order of refund, the appellant had preferred the appeal before the Customs Excise and Gold (Control) Appellate Tribunal (herienafter referred to as 'CEGAT') which was still pending and in view thereof, the High Court should not have passed the orders directing the payment of interest.

We are informed that even CEGAT has since decided the appeal and dismissed the same thereby affirming the order of refund. We are also informed that the interest amount has since been paid to the respondent. In view thereof, nothing remains to be adjudicated in the appeal. The appeal, accordingly, stands dismissed.

....., J.  
[ A.K. SIKRI ]

....., J.  
[ ROHINTON FALI NARIMAN ]

New Delhi;  
March 12, 2015.

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 7003/2003

UNION OF INDIA &amp; ANR.

Appellant(s)

VERSUS

M/S. J.M. INDUSTRIES

Respondent(s)

(with office report)

Date : 12/03/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)

Ms. Nisha Bagchi, Adv.  
Mr. Arijit Prasad, Adv.  
Ms. Rashmi Malhotra, Adv.  
Ms. Pooja Sharma, Adv.  
Ms. Sujeeta Srivastava, Adv.  
Mr. B. Krishna Prasad, Adv.

For Respondent(s)

Mr. Bhargava V. Desai, Adv.

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

The appeal is dismissed in terms of the signed order.

(Nidhi Ahuja)  
COURT MASTER(Suman Jain)  
COURT MASTER

[Signed order is placed on the file.]