

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 611 of 2009

AND

CIVIL APPEAL NOS. 1971-1981, 5779, 7648-51, 1688-1705 OF 2004, 3572-73, 5541 OF 2005, 2710, 3574-76, 3166-68, 3416, 5214, 6909, 7436, 8023-8028 OF 2004, 1760-1764 OF 2005, 535-538, 605-608 OF 2008, CIVIL APPEAL NOS. 1056-1058, 3491 OF 2008, 143, 144, 865 AND 1624 OF 2009, 4626-28 OF 2008, 6363-6365 of 2010, 476 OF 2009, 20 OF 2009 AND CIVIL APPEAL D NOS. 20615 OF 2008 AND 27815 OF 2007

WITH

INTERLOCUTORY APPLICATION NO.1

(Applications for condonation of delay in Civil Appeal nos. 143, 144, 865 AND 476 OF 2009, 3491 OF 2008 and Civil Appeal (D) NO. 20615 OF 2008)

AND

INTERLOCUTORY APPLICATION NOS. 1 – 2 AND 1-3

(Application for condonation of delay in Civil Appeal No. 6363-6365 OF 2009 and Civil Appeal (D) NO. 27815 OF 2007)

COMMISSIONER OF CENTRAL EXCISE VAPI
ETC. ETC.

....Appellants

-Versus-

M/S.SYNFAB SALES ETC. ETC.

.....Respondents

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 20th July, 2010 when the Court was pleased to pass the following order:-

“Learned Senior Counsel appearing for the Revenue prays for short adjournment. At request, the matter is adjourned by one week. With the consent of the learned counsel for the parties, Civil Appeal No. 611 of 2009 be treated as a lead case.”

CIVIL APPEAL NO. 611 OF 2009

It is submitted that Service of Notice of Lodgment of Petition of Appeal in the matter above-mentioned is complete. Sole respondent is represented through Mr. M.P. Devanath, Advocate.

Original record has been received. Counsel for both the parties have filed statement of case.

Civil Appeal NOS. 1971-1981 of 2004

It is submitted that service of show cause notice is complete in the matters above-mentioned. However, Vakalatnama/Appearance has been filed only on behalf of Respondent Nos.8, 10 and 11 only. Original record has not been called for as appeals are not admitted so far.

Civil Appeal NO. 5779 of 2004

It is submitted that service of notice of lodgment of petition of appeal is complete but no one has filed Vakalatnama/Appearance so far on behalf of Sole respondent. Original record has been received in the matter.

CIVIL APPEAL NOS.7648-7651 OF 2004

It is submitted that service of notice of lodgment of petitions of appeal is complete. Shri Rajesh Kumar, Advocate filed Vakalatnama/appearance on behalf of Respondent in C.A. No.7651 of 2004 only. As the said respondent is also respondent in other matter, Advocate was asked to clarify the position but he has not done anything so far.

Original record has been received in the matter.

CIVIL APPEAL NOS.1688-1705 OF 2004

It is submitted that service of notice of lodgment of petitions of appeal is complete in respect of all the respondents. Respondents are represented through Advocate except Respondent No. 9, 10, 15 and 18. Original record has been received in the matter.

CIVIL APPEAL NOS. 3572-73 OF 2005

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete. Sole respondent is represented through Mr. Naresh Kumar, Advocate. Original record has been received from Appellate tribunal.

CIVIL APPEAL NO. 5541 OF 2005

Service of Notice of Lodgment of Petition is complete but none has entered appearance. Original record has been received from Tribunal.

CIVIL APPEAL NO. 2710 OF 2004

It is submitted that service of Notice of Lodgment of Petition of appeal is complete and Respondent No. 1, 2 and 3 are represented through Mr. Anis Ahmed Khan, Advocate and notice has been served on Respondent No. 4. Original record has been received in the matter.

CIVIL APPEAL NOS. 3574-3576 OF 2004

It is submitted that service of notice of lodgment of petitions of appeal is complete and Respondent No. 1 and 2 are represented through Mr. M.P. Devanath, Advocate. A.D. Card duly signed and stamp has been received from Respondent No.3. Original record has been received in the matter.

Civil Appeal NO. 3416 of 2004

It is submitted that service of notice of lodgment of petition of appeal is complete and Sole Respondent is represented through Mr. Rajesh Kumar, Advocate.

Original record has been received in the matter.

Civil Appeal NO. 6909 of 2004

It is submitted that service of notice of lodgment of petition of appeal is complete on Sole Respondent but no one has filed Vakalatnama/Appearance far.

Original record has been received in the matter.

Civil Appeal NO. 7436, 5214 and 3166-3168 of 2004

It is submitted that Service of Notice is complete by way of dasti in all the above-mentioned appeals. But no one has filed Vakalatnama/Appearance so far.

Original record have been received in all the matters.

Civil Appeal NOS. 8023-8028 of 2004

It is submitted that service of notice of lodgment of petitions of appeal is complete and Respondent Nos. 1, 3, 5 and 6 are represented through Advocate but no one has filed Vakalatnama on behalf of Respondent Nos. 2 & 4 so far.

Original record has been received in the matter.

CIVIL APPEAL NOS. 1760-64 OF 2005

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete. Both sides are represented through their respective Advocates.

Original record has been received from Appellate tribunal. Counsel for the respondent has filed statement of case. Copy of the same has been included in the paper books.

CIVIL APPEAL NOS. 535-38 of 2008

It is submitted that there are four respondents. Respondent Nos.1-3 are represented through Mr. M.P. Devanath, Advocate. Service of Notice of Lodgment of Petition of Appeal is complete on respondent no.4 by Regd. A.D. post but no one filed vakalatnama/appearance so far. Original record has been received and Counsel for the representing parties have filed statement of case. Appeals are ready.

CIVIL APPEAL NOS. 605-08 OF 2008

It is submitted that there are four respondents. Respondent Nos. 1-2 are represented through Mr. Praveen Kumar, Advocate. Service of Notice of Lodgment of Petition of Appeal is complete on respondent Nos. 3-4 by way of dasti service but no one has filed vakalatnama/appearance so far. Original record has been received and Counsel for the representing parties have filed statement of case. Appeals are ready.

CIVIL APPEAL NOS. 1056-58 OF 2008

It is submitted that there are three respondents and service of dasti Notice of Lodgment of Petition of Appeal is complete by way of dasti but no one has filed vakalatnama/appearance so far. Original record has been received Counsel for the appellant has filed statement of case.

CIVIL APPEAL NO. 3491 OF 2008

It is submitted that Service of Show Cause Notice is complete by way of Dasti but no one has filed vakalatnama/appearance so far. Counsel for the Appellant has filed statement of case.

C.A.NOS. 143/2009

Service of Notice of Lodgment of Petition of Appeal is complete on 13th November, 2009 but no one has filed vakalatnama/appearance on behalf of the Respondent.

Original record has been received from Tribunal.

Counsel for the Appellant has filed statement of case.

C.A.NO. 144 OF 2009

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete on 7th November, 2009 but no one has filed vakalatnama/appearance on behalf of the sole Respondent so far.

Original record has been received from Tribunal.

Counsel for the Appellant has not filed statement of case.

C.A.NO. 865/2009

It is submitted that Show cause notice is complete by way of publication but no one has filed Vakalatnama/Appearance on behalf of the sole respondent so far.

C.A.NO. 1624/2009

It is submitted that Service of Notice is complete as A.D. Card duly signed has been received from the sole respondent but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far.

Original record has been received from Tribunal.

Counsel for the Appellant has filed statement of case.

CIVIL APPEAL NOS.4626-4628 OF 2008

It is submitted that there are three respondents. Respondent No.1 is represented through M/s S. Narain @ Co., Advocate and Respondent Nos.2 & 3 are represented through Mr. M.P. Devanath, Advocate. Service is complete. Original record has been received from Appellate Tribunal and counsel for both the parties have filed statement of case. Appeals are ready.

CIVIL APPEAL NOS.6363-6365 of 2010

It is submitted that service of notice is complete by way of dasti on all the respondents but no one has filed Vakalatnama/Appearance so far.

CIVIL APPEAL NOS.476 and 20 of 2009

It is submitted that service of notice is complete in both the matters. Sole respondent is represented through Mr. M.P. Devanath, Advocate.

CIVIL APPEAL D. NO. 27815 OF 2007

The matter above-mentioned was listed before Hon'ble Court on 11th January, 2008 when the Court was pleased to pass the following order:

“Tag with C.A. Nos.1760-1764 of 2005.”

CIVIL APPEAL (D) NOS. 20615 OF 2008

It is submitted that notice was issued to sole respondent and Mr. M.P. Devanath, Advocate has filed vakalat/appearance on behalf of sole Respondent. Hence, service of notice is complete but he has not filed counter affidavit.

The matters are listed before the Hon'ble Court with this Office Report.

Dated this the 1st day of September, 2014.

ASSISTANT REGISTRAR

COPY TO :

- 1.MRS. ANIL KATIYAR, ADVOCATE
CENTRAL AGENCY SECTION
- 2.MR. M.P. DEVANATH, ADVOCATE
B-6/10, SAFDARJUNG ENCLAVE, NEW DELHI
3. MR. RAJESH KUMAR, ADVOCATE
24, POCKET-A, DDA SFS FLAT, EAST OF KAILASH,
NEW DLEHI
4. MR. B.K. PRASAD, ADVOCATE
CENTRAL AGENCY SECTION
5. MR. B.V. BALRAMDASAD, ADVOCATE
CENTRAL AGENCY SECTION
6. MR. PRAVEEN KUMAR, ADVOCATE
B-122, SECTOR 30, NOIDA 201 303
7. MS. BINA GUPTA, ADVOCATE
8. MRS. K.K. MOHAN, ADVOCATE
9. MRS. NARESH KUMAR, ADVOCATE
10. MR. E.C. AGRAWALA, ADVOCATE
- 11.MR. RAJEEV KUMAR, ADVOCATE
- 12.MR. ANIS AHMED KHAN, ADVOCATE
- 13.MR. RAJVEEV SHARMA, ADVOCATE
14. MRS. MANIK KARANJAWALA, ADVOCATE
15. MR. D.M. NARGOLKAR, ADVOCATE
16. M/S K.J. JOHN & CO. ADVOCATE
17. M/S. S.NARAIN & CO., ADVOCATE

ASSISTANT REGISTRAR