

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS  
BEFORE THE REGISTRAR S.G. SHAH  
CIVIL APPEAL NO(s). 605-608 OF 2008

COMMR.OF CENTRAL EXCISE,VAPI

Appellant (s)

VERSUS

M/S PAMIS TEX PVT.LIMITED & ORS.

Respondent(s)

Date: 08/12/2008 These Appeals were called on for hearing today.

For Appellant(s)

Mr. B. Krishna Prasad,Adv.

For Respondent(s)

Ms. Maherarish Rein,Adv.

Mr. Aldanish Rein,Adv.

UPON hearing counsel the Court made the following

ORDER

It is unfortunate that appellant has failed to disclose the correct addresses of unserved respondents since long and has failed to serve unserved respondents. Appellant has also failed to cure defects in their application though specifically directed in order dated 14.10.2008.

In view of the above fact, matter is required to be listed before the Hon'ble Chamber Judge for non prosecution against the unserved respondents. However. considering the subject matter whereby department may have to recover tax from the respondents, let there be fresh notice, which is to be forwarded through the concerned Civil Court; details of which are to be furnished by the learned Advocate for the appellant to the Registry within a week. The concerned court is directed to affix the notice at the given address, if it could not be served in due course.

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Since the appellant herein has preferred an appeal before the Tax Appellate Tribunal, appellant has to disclose on record about the status of notice before such Tribunal which was served in year 2007. It is surprising to note that in the year 2008 appellant is unable to serve the unserved respondents and wants to publish public notice without disclosing requisite information, on record.

Appellant has to verify the statement referred on page No.50 and 51 of the paper book and other relevant record to find out the correct addresses of the unserved respondents.

List the matter on 28.1.2009.

(S.G.SHAH)  
Registrar