

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.12049/2000

(From the judgement and order dated 09/02/2000 in FO 29/2000 in Appeal No.267/99 of The CENTRAL EXCISE & GOLD APPLLETTE TRIBUNAL, NEW DELHI)

DSM IDEMITSU COMPANY LIMITED

Petitioner (s)

VERSUS

DESIGNATED AUTHORITY, MIN. OF COMMERCE

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for impleading party, permission to place addl. documents on record and intervention)

Date : 08/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. Harish Chander, Sr. Adv.
Mr. M.B. Singh, Adv.
Ms. Suman Bala Rastogi, Adv.

For Respondent (s) Mr. H.N. Salve, SG.
Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.
Mr. P. Parmeswaran, Adv.

Mr. R.B. Misra, Adv.

Mr. Imtiaz Ahmed, Adv.
Ms. Nagnhia Imtiaz, Ad.
Mr. Suhail Nathani, Adv.
Mr. V.N. Raghupathy, Adv.

For Intervenors: Mr. M.N. Krishnamani, Sr. Adv.
Mr. S.K. Sharma, Adv.
Mr. Ashutosh Sharma, Adv.

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

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On the application of learned counsel for the petitioner, the special leave petition is dismissed as withdrawn.

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The petitioner shall be at liberty to challenge the notification that has been issued by the Government on 9th May, 2000. In its reply to such challenge, it would be open to the Government to rely upon the order of the Tribunal upon which the notification is based. If this is done, it would be open to the petitioners to challenge in those proceedings the correctness of such order.

(T.I. Rajput)
Court Master

(S. Sen Gupta)
Court Master