

ITEM NO.43

COURT NO.11

SECTION III

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 Diary No(s). 26929/2016

COMMISSIONER OF CUSTOM CENTRAL EXCISE  
AND SERVICE TAX, GOA

Appellant(s)

VERSUS

MORMUGAO PORT TRUST

Respondent(s)

(with appln. (s) for condonation of delay in filing appeal and  
office report)

Date : 14/09/2016 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s) Mr. N.K. Kaul, ASG  
Mr. Rajiv Nanda, Adv.  
Mr. Samar S. Kachwa, Adv.  
Mr. B. Krishna Prasad, Adv.

For Respondent(s)

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

It is argued by the learned ASG that the subject matter of this case is not covered by the judgment of this Court in 'Commissioner of Central Excise, Bhavnagar vs. Gujarat Maritime Board, Jafrabad' (2015) 11 SCC 523. He further submits that insofar as the issue involved in this appeal is concerned, that is pending in other appeals which have already been admitted. We also find from the impugned judgment that the Tribunal has relied upon its earlier judgment, which is already a subject matter of appeal in this Court.

Delay condoned.

Appeal admitted.

To be heard along with Civil Appeal Nos. 4300-4302/2012 and  
Civil Appeal Nos. 7294-7295 of 2016.

(Ashwani Thakur)  
COURT MASTER

(Tapan Kr. Chakraborty)  
COURT MASTER