

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 3400 OF 2003

COMMNR. OF CENTRAL EXCISE, CHANDIGARH

Appellant (s)

VERSUS

M/S. DOABA STEEL ROLLING MILLS

Respondent(s)

(With prayer for interim relief and office report)

WITH

Civil Appeal NO. 8342-8344 of 2004

(With prayer for interim relief and office report)

Civil Appeal NO. 8345 of 2004

(With prayer for interim relief and office report)

SLP(C) NO. 35323-35324 of 2010

(With Appln(s) for c/delay in filing SLP)

Date: 18/01/2011 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s)/
petitioner(s)

Mr. B. Bhattacharya, ASG
Mr. Harish Chander, Sr. Adv.
Mr. R. Nanda, Adv.
Ms. Arti Singh, Adv.
Mr. B.K. Prasad, Adv.
Mrs. Anil Katiyar, Adv.
Mr. P. Parmeswaran, Adv.
Mr. D.S. Mahra, Adv.

For Respondent(s)
CA 3400/03

Mr. Balbir Singh, Adv.
Mr. Rajesh Kumar, Adv. (AOR)
Mr. Rupinder Sinhmar, Adv.
Mr. Deepak Sinhmar, Adv.
Mr. Abhishek Singh Baghel, Adv.
Mr. Sharad Sharma, Adv.

SLP 35323-24/10
CA 8345/04

Mr. Rajesh Kumar, Adv.
Mr. Krishnakumar R.S., Adv.
Mr. K.S. Mahadevan, Adv.

CA 8342-8344/04

Mr. Balbir Singh, Adv.
Ms. Manjula Gupta, Adv.

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UPON hearing counsel the Court made the following

O R D E R

Mr. B. Bhattacharya, learned ASG, resumed his submissions at 11.40 a.m. and concluded at 12.25 p.m.

Thereafter, Mr. Balbir Singh, learned counsel for the respondents, started his

submissions and concluded at 2.40 p.m. Mr. Rajesh Kumar, learned counsel for the respondent, also made his short submissions. Thereafter, Mr. B. Bhattacharya gave his reply in rejoinder from 2.45 p.m. to 3.05 p.m.

Hearing concluded.

Delay condoned.

The Court reserved its verdict, with the following directions:

The revenue shall file an affidavit, stating as to whether the decisions of the Full Bench of the Tribunal in Sawanmal Shibumal Steel Rolling Mills Vs. C.C.E. Chandigarh-1 [2001 (127) ELT 46 (Tri)] and of the Karnataka High Court in Commr. Of Central Excise, Belgaum Vs. Bellary Steel Rolling Mills [2009 (245) ELT 114 (Karnataka)] have been challenged by the revenue or not. In the affidavit, it shall also be stated that if the said order/judgment had not been challenged, why the orders in the present cases have been challenged. The affidavit shall

be filed by the Commissioner of Central Excise concerned within a week.

Written submissions shall also be filed within a week.

(VINOD LAKHINA) (KUSUM GULATI)
Court Master Court Master