

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)

Date: 04/05/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ANIL R. DAVE

For Appellant(s) Mr.B. Bhattacharya, ASG
Mr.V.Shekhar, Sr.Adv.
Ms.Arati Singh, Adv.
Mr.B.K. Prasad, Adv.
Mrs Anil Katiyar,Adv.
Mr. P. Parmeswaran

For Respondent(s) Mr.Balbir Singh, Adv.
Mr.Deepak Sinhman, Adv.
Mr. Rajesh Kumar,Adv.

Ms. Manjula Gupta, Adv.
Mr.Prashant Jha, Adv.

UPON hearing counsel the Court made the following

O R D E R

After addressing us for some time, Mr.B. Bhattacharya, learned Additional Solicitor General, prays for some time to seek instructions with regard to the status of the decision of the Tribunal in the case of Awadh Alloysd (P) Ltd. Vs. C.C.E., Meerut, reported ..2/-

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in 1999 (112) ELT 719. We note that according to the learned counsel the said order was perhaps challenged in the Allahabad High Court but Revenue's application under Section 35-H(1) of the Central Excise Act, 1944 was dismissed on 19th February, 2007. Let the learned counsel seek proper instructions within four weeks as to whether the order passed by the High Court was challenged in this Court or not.

The matter shall not be treated as part heard.

[Usha Bhardwaj]
Court Master

[Pushap Lata Bhardwaj]
Asstt.Registrar