

ITEM NO. 108

COURT NO.4

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 NOS. 4999-5000 OF 2001

Commissioner of Central Excise, Coimbatore

Appellant(s)

Versus

Supdt. Engineer, Tamil Nadu Electricity Board

Respondent(s)

(with appln(s) for stay and office report)

Date: 28/11/2006 This/these matter(s) was/were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN  
HON'BLE MR. JUSTICE DALVEER BHANDARI

For Appellant(s)

Mr. M.M. Paikeday, Sr. Adv.  
Mr. T.V. Ratnam, Adv.  
Mr. B.K. Prasad, Adv.

For Respondent(s)

Mr. V. Krishnamurthy, Adv.for  
Mr. P.N. Ramalingam, Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeals are dismissed in terms of the signed order.

(J.S. Rawat)

(Kanwal Singh)

AR-cum-PS

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4999-5000 OF 2001

Commissioner of Central Excise, Coimbatore

Appellant(s)

Versus

O R D E R

The Revenue being aggrieved against the order of remand passed by the Commissioner filed an appeal before the Tribunal which has been dismissed by the impugned order.

The point in issue is concluded against the revenue by a judgment of this Court in Collector of Central Excise v. Dodsall Manufacturing (P) Ltd. [2001 9127) ELT 324]. In the said case also this Court had remanded the case to the Authority-in-Original.

The appeals are dismissed in view of the judgment in Dodsall Manufacturing (P) Ltd.(supra). No costs.

.J.

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(ASHOK BHAN)

New Delhi;  
..J.  
November 28, 2006.

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(DALVEER BHANDARI)