

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 7634 OF 1999

COMMNR. OF CENT. EXCISE, N.D.

Appellant (s)

VERSUS

M/S.BHARAT FOAM UDYOG P.LTD.

Respondent(s)

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

WITH
Civil Appeal NO. 4876 of 1999
(With office report)

Date: 18/02/2009 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE HARJIT SINGH BEDI

For Appellant(s) Mr. S. Wasim A. Qadri, Adv.
Mr. Vivek Singh, Adv.
Mrs. Anil Katiyar, Adv.
Mr. B. Krishna Prasad, Adv.

For Respondent(s) Mr. Ramesh Singh, Adv.
Mr. A.T. Patra, Adv.
Miss Aradhna Patra, Adv. for
M/s. O.P. Khaitan & Co.

UPON hearing counsel the Court made the following
ORDER

CA No.7634/1999

Issue notice.

Learned counsel for the appellant would be at liberty to file
additional documents, including judgments.

C.A. No.4876/1999

The appeal is dismissed in terms of the signed order. In the
facts and circumstances of this case, the parties are directed to bear
their own costs.

(K.K. Chawla)
AR-cum-PS

(Neeru Bala Vij)
Court Master

[Signed order in C.A. No.4876/1999 is placed on the file]

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4876 OF 1999

COMMNR. OF CENT. EXCISE, N.D.

Appellant (s)

VERSUS

M/S.BHARAT SEATS LTD.

Respondent(s)

ORDER

Learned counsel for the appellant submits that the facts of this appeal are identical to the facts of Civil Appeal Nos.6859-6860 of 1999, Collector of Central Excise, New Delhi v. M/s Jain & Jayna Foam Ltd., Haryana. This Court dismissed the aforesaid appeals of the Revenue on 6.11.2008. In view of that development, nothing survives in this appeal. The appeal is, accordingly, dismissed. In the facts and circumstances of this case, the parties are directed to bear their own costs.

.....J.
(Dalveer Bhandari)

.....J.
(Harjit Singh Bedi)

New Delhi;
February 18,2009.