

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3976 OF 2007

WITH

CIVIL APPEAL NOS.1638 OF 2006, 2443, 2444, 2445, 3747, 4704, 5955-5956 OF 2007, 3520 OF 2008, SLP (C) NO.4537-4538 OF 2008, CIVIL APPEAL NOS.5894, 5896, 6411 OF 2008, SLP (C) NOS.14206 AND 15616 OF 2008, CIVIL APPEAL NOS.141 AND 2800 OF 2009, CIVIL APPEAL NOS. 1877, 5976 AND 10824 OF 2010, SLP (C) NO.21539-21540 OF 2011, CIVIL APPEAL NOS.6116-6124, 6125, 6126-6129, 6130-6132, 6133, 6134, 6135 AND 6136 OF 2012, SLP (C) NOS.26664, 26650, 26649, 26653, 26654, 26660, 26658, 26657, 26655, 26662, 25833, 26647, 27683 AND 27671 OF 2015, SLP (C) NO. 549, 551 AND 547 OF 2016 AND CIVIL APPEAL NOS.202-204 OF 2016

RAMALA SAHKARI CHINI MILLS LTD. ETC. ETC.

.....Appellants

-VERSUS-

COMMISSIONER OF CENTRAL EXCISE, MEERUT-I

.....Respondents

OFFICE REPORT

CIVIL APPEAL NOS.3976 OF 2007, 1638 OF 2006, 2443, 2444, 2445, 3747, 4704 AND 5955-5956 OF 2007

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete in these Appeals as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case in Civil Appeal Nos.5955-5956 of 2007. Copies of the same have been included in the Paper Books.

Appeals are ready for hearing.

CIVIL APPEAL NO.3520 OF 2008

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

SLP (C) NOS.4537-4538 OF 2008

The matters above-mentioned were listed before the Hon'ble Court on 14<sup>th</sup> March, 2008 when the Court was pleased to pass the following order:

**“Issue Notice.  
Tag with Civil Appeal No.1638/2006.”**

It is submitted that there is sole respondent. Service of Notice is complete by way of dast service but no one has filed Vakalatnama on behalf of the sole respondent.

It is further submitted that Mr. B.K.Prasad (Standing Counsel for Union of India) is representing the sole respondent/UOI in the connected Special Leave Petition (C) Nos.14206 of 2008 and 15616 of 2008.

**CIVIL APPEAL NOS. 5894 AND 5896 OF 2008**

It is submitted that service of notice is complete as courier receipts duly signed have been received back from the common sole respondent which shows that the notice has been served on 24.12.2008, but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far.

It is further submitted that Counsel for the appellant has filed Statement of Case in both the Appeals. Copies of the same have been included in the Paper Books.

Appeals are ready for hearing.

**CIVIL APPEAL NO.6411 OF 2008**

It is submitted that there are two respondents. Service of Notice is complete as both the respondents are represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the Appellant has filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**SLP (C) NOS.14206 AND 15616 OF 2008**

The matters above-mentioned were listed before Hon'ble Court on 8<sup>th</sup> July, 2008, when the Court was pleased to pass the following Order:

**“Issue Notice.  
Tag with Civil Appeal No.1638/2006 (M/s Lafarge India Ltd.  
Commissioner of Central Excise, Raipur)”**

It is submitted that there is sole respondent in both the matters. Mr. B.K.Prasad, Advocate is representing the sole respondent/UOI in both matters and counter affidavit has been filed in both the matters. Copy of the counter affidavit has been included in the paper books.

**CIVIL APPEAL NO.141 OF 2009**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. M.P.Devanath, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NO.2800 OF 2009**

It is submitted that service of Notice is complete as Courier Receipt duly signed and stamped has been received back from the sole respondent which shows that the notice has been served on 12.12.2008,, but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far.

It is further submitted that Counsel for the appellant has filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NOS.1877 AND 10824 OF 2010**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate in both the appeals.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeals are ready for hearing.

**CIVIL APPEAL NO.5976 OF 2010**

It is submitted that service of Notice is complete as the sole respondent is represented through M/s Khaitan & Co., Advocates.

It is further submitted that Counsel for the Appellant has filed Statement of Case and Counsel for the sole Respondent has filed Counter Affidavit. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**SLP (C) NO.21539-21540 OF 2011**

The matters above-mentioned were listed before the Hon'ble Court on 1<sup>st</sup> August, 2008, when the Court was pleased to pass the following order:

**“Issue Notice on applications seeking condonation of delay as well in the Special Leave Petitions.**

**Mr. M.P.Devanath, learned counsel, accepts notice on behalf of the respondent.**

**Tag with Civil Appeal No.3976 of 2007”**

Accordingly, Show Cause Notice was issued to the sole respondent. Mr. M.P.Devanath, Advocate has filed Vakalatnama/Appearance and Counter Affidavit on

behalf of the sole respondent. Copy of the counter affidavit has been included in the Paper Books.

**CIVIL APPEAL NO.6116-6124 OF 2012**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the respondent has filed Counter Affidavit on behalf of the sole respondent. Copies of the same have been included in the Paper Books.

Appeals are ready for hearing.

**CIVIL APPEAL NO.6125 OF 2012**

It is submitted that there are two respondents. Service of notice is complete as both the respondents are represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of Statement of Case filed by Counsel for the Appellant have been placed (in separate volume) with Appeal Paper Books whereas copies of Statement of Case of Case filed by Counsel for the respondents have been included in the Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NOS.6126-6129 OF 2012**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the Appellant has filed Statement of Case. Copies of the same have been placed (in separate volumes) with Appeal Paper Books.

Appeals are ready for hearing.

**CIVIL APPEAL NOS.6130-6132 OF 2012**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the Appellant has filed Statement of Case. Copies of the same have been placed (in separate volume) with Appeal Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NO.6133 OF 2012**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of Statement of Case filed by Counsel for the Appellant has been placed (in separate volume) with Appeal Paper Books whereas copies of Statement of Case filed by Counsel for the respondent have been included in the Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NO.6134 OF 2012**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NO.6135 OF 2012**

It is submitted that service of Notice is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the Appellant has filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**CIVIL APPEAL NO.6136 OF 2012**

It is submitted that there are two respondents. Service of Notice is complete as the both the respondents are represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the Appellant has filed Statement of Case. Copies of the same have been included in the Paper Books.

Appeal is ready for hearing.

**SLP (C) NOS. 26647, 26664, 26650, 26649, 26653, 26654, 26660, 26658, 26657, 26655, 26662 OF 2015**

The matters above-mentioned were listed before the Hon'ble Court on 11<sup>th</sup> September, 2015 when the Hon'ble Court was pleased to pass the following order:-

**“Delay condoned.  
Issue notice.  
Tag with C.A. No...D.15599 of 2007.”**

SLP (C) NOS. 26647, 26649, 26650, 26654, 26660, 26657, 26655, 26662 OF 2015

Accordingly, show cause notice was issued to sole Respondent on 26<sup>th</sup> September, 2015 through registered A.D. Post. Mr. B.K. Prasad, Advocate has filed Vakalatnama/Apearance and Counter Affidavit on behalf of the sole respondent in all the matters mentioned above. Copies of the Counter Affidavit have been included in the Paper Books.

It is submitted that Counsel for the Petitioner has on 7<sup>th</sup> January, 2016 filed Rejoinder Affidavit in SLP (C) No. 26650 of 2015 with the permission of the Hon'ble Court. Copies of the Rejoinder Affidavit are being circulated herewith.

SLP (C) NOS. 26653 AND 26664 of 2015

Accordingly, show cause notice was issued to sole Respondent on 26<sup>th</sup> September, 2015 through registered A.D. Post. Mr. B.K. Prasad, Advocate has on 26<sup>th</sup> November, 2015 filed Vakalatnama/Apearance and on 9<sup>th</sup> January, 2016 filed Counter Affidavit. Copies of the Counter Affidavit are being circulated herewith.

SLP (C) NO. 26658 OF 2015

Accordingly, show cause notice was issued to sole Respondent on 26<sup>th</sup> September, 2015 through registered A.D. Post. Mr. B.K. Prasad, Advocate has on 26<sup>th</sup> November, 2015 filed Vakalatnama/Apearance on behalf of the sole respondent but he has not filed Counter Affidavit so far.

SLP(C) NO. 27671 AND 27683 OF 2015

The matters above-mentioned were listed before the Hon'ble Court on 21<sup>st</sup> September, 2015 when the Hon'ble Court was pleased to pass the following order:-

**“Delay condoned.**

**Issue notice.**

**Tag with C.A. No. 3976 of 2007.”**

Accordingly, show cause notice was issued to sole Respondent on 9<sup>th</sup> October, 2015 through registered A.D. Post. Mr. B.K. Prasad, Advocate has on 26<sup>th</sup> November, 2015 filed Vakalatnama/Apearance and on 9<sup>th</sup> January, 2016 filed Counter Affidavit in both the matters mentioned above. Copies of Counter Affidavit have been included in the Paper Books..

SLP (C) NO. 25833 OF 2015

The matter above-mentioned was listed before the Hon'ble Court on 14<sup>th</sup> September, 2015 when the Hon'ble Court was pleased to pass the following order:-

**“Notice.  
Tag with C.A. No. 3976 of 2007.**

Accordingly, show cause notice was issued to sole Respondent on 7<sup>th</sup> October, 2015 through registered A.D. Post. Mr. B.K. Prasad, Advocate has on 6<sup>th</sup> November, 2015 filed Vakalatnama/Apearance on behalf of the sole respondent but he has not filed Counter Affidavit so far.

**SLP(C) NOS. 549, 551 AND 547 OF 2016.**

The matters above-mentioned were listed before the Hon'ble Court on 8<sup>th</sup> January, 2016 when the Hon'ble Court was pleased to pass the following order:-

**Delay condoned.“  
Issue Notice.  
Tag with C.A. No. 3976 of 2007.**

It is submitted that Counsel for the Petitioner has on 11<sup>th</sup> January, 2016 filed spare copies in these matters. Accordingly show cause notice has been issued to the sole respondent only on 13<sup>th</sup> January, 2016. Service of show cause notice is awaited.

**CIVIL APPEAL NOS.202-204 OF 2016**

The matters above-mentioned were listed before Hon'ble Court on 11.1.2016 when the following order was passed:

**“Application for exemption from filing certified copy of the impugned orders is allowed.  
Delay condoned.  
Leave granted.  
Tag with Civil Appeal No.3976 of 2007”**

It is further submitted that spare copy of petition of appeal is yet to be filed by the advocate. Hence Notice of Lodgment of Petition of Appeal could not be issued.

The matters above-mentioned are listed before the Hon'ble Court with this Office Report.

Dated this the 13<sup>th</sup> Day of January, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate,  
Central Agency Section,  
Supreme Court of India  
New Delhi.
2. Mr. M.P. Devanath, Advocate,  
5, Jangpura Extn, Link Road,  
New Delhi-110014
3. M/s. Parekh & Co., Advocates,  
134, Lawyers Chambers,  
Supreme Court of India,  
New Delhi.
4. M/s Khaitan & Co., Advocates,  
1105, Ashoka Estate,  
Barakhamba Road  
New Delhi
5. Mr. R.S.Jena, Advocate,  
Bar Libarary No.1, Supreme Court
6. Mr. Rajesh Kumar, Advocate,  
24, Pocket-A, DDA S.F.S. Flats  
Mount Kailash, East of Kailash,  
New Delhi
7. Mr. Prakash Kumar Singh, Advocate,  
112, New Lawyer's Chambers
8. Mr. Jay Savla, Advocate,  
A/56-A, Lajpat Nagar Part II  
New Delhi

ASSISTANT REGISTRAR

ci

