

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10027 of 2014, 1400, 4209 & 3247 of 2015

Commissioner of Central Excise & Customs etc. ....Appellant(s)

-Versus-

M/s Deep Construction Co. & Ors. Etc. , ....Respondent(s)

OFFICE REPORT

CIVIL APPEAL NOS. 10027 of 2014, 1400 and 4209 of 2015

The Office Report dated 3<sup>rd</sup> November 2015 in the matters above-mentioned was listed before the Learned Registrar Court on 4<sup>th</sup> November 2015, when the following orders were passed:-

**“Appellant has to take fresh steps to effect service upon the sole respondent of C.A. No.10027/2014 and has to provide the fresh address for the sole respondent of C.A. No.1400/2015. Appropriate steps be taken within four weeks. Notice thereafter be issued.**

**Respondent of C.A. No.4209/2015 has not filed the counter affidavit, despite the warning of last opportunity. Further opportunity is hereby declined.**

**List again on 19.1.2016.”**

CIVIL APPEAL NO.10027 OF 2014

It is submitted that Dasti notice was issued to the Counsel for the appellant on 17-12-2015 for effecting service of notice on the unserved sole respondent but counsel for the appellant has not filed affidavit of service alongwith proof of dasti service so far.

A copy of the said notice was also forwarded to the sole respondent by Registered A.D. post on 28-12-2015. Neither A.D. Card nor unserved cover received back so far.

CIVIL APPEAL NO.1400 OF 2015

Counsel for the appellant has on 2<sup>nd</sup> December 2015 filed a letter dated 1<sup>st</sup> December 2015 requesting therein for Dasti Notice to be served on Sole Respondent. Dasti Notice was handed over to the Counsel for the Appellant on 19<sup>th</sup> December 2015.

It is submitted that Counsel for the Appellant has on 7<sup>th</sup> January 2015 filed Affidavit of Service with proof of Service, but no one has filed Vakalatnama/ Appearance on behalf of Sole Respondent so far.

CIVIL APPEAL NO.4209 OF 2015

It is submitted that counsel for the respondent has not filed Counter Affidavit so far.

CIVIL APPEAL NO. 3247 OF 2015

The matter was listed on 27<sup>th</sup> March 2015 before the Hon'ble Court, when the Court was pleased to pass the following order:-

**“Delay condoned.  
Admitted.  
Tag with C.A. Nos.1335-58/2015.”**

Accordingly, Notice of Lodgement of Petition of Appeal was issued on 8<sup>th</sup> April 2015 through Registered A.D. Post to the Sole Respondent . Unserved cover containing the said notice has been received back from the respondent with postal remarks “No such person”.

It is submitted that vide this Registry's Letter dated 30<sup>th</sup> April 2015, Counsel for the Appellant was requested to furnish latest and correct address of the unserved Sole Respondent.

It is further submitted that the Counsel for the Appellant has on 5<sup>th</sup> January 2016 filed a letter dated 9<sup>th</sup> December 2015 sent by the appellant to the Sole Respondent at two addresses.

The Office Report is listed before the Ld. Registrar Court for orders.

Dated this the 16<sup>th</sup> day of January, 2016.

ASSISTANT REGISTRAR

Copy to :-

1. Mr. B.K. Prasad, Advocate  
Central Agency Section.
2. Mr. Nikhil Nayyar, Advocate  
133, Lawyers Chambers,  
Supreme Court Compound.
3. M/s Mittar & Mittar Company.

ASSISTANT REGISTRAR

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