

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. 5561 OF 2003

COMMNR. OF CENTRAL EXCISE, HYDERABAD

Appellant (s)

VERSUS

M/S NATCO PARENTALS LTD.
(DIVISION OF M/S NATCO PHARMA
LTD.)

Respondent(s)

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

Date: 14/12/2011 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. R.P. Bhatt, Sr. Adv.
Ms. Arti Singh, Adv.
Mr. A.K. Sharma, Adv.
for Mr. B. Krishna Prasad, Adv.

For Respondent(s)

Mr. A.D.N. Rao, Adv.
for Mr. Y. Raja Gopala Rao, Adv.(N/P)

UPON hearing counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the
signed order with no order as to costs.

(VINOD LAKHINA)
Court Master

(M.S. NEGI)
Court Master

(SIGNED ORDER IS PLACED ON THE FILE)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5561 OF 2003

COMMISSIONER OF CENTRAL EXCISE,
HYDERABAD

...APPELLANT

VERSUS

M/S NATCO PARENTALS LTD.
(DIVISION OF M/S NATCO PHARMA
LTD.)

...RESPONDENT

ORDER

Mr. R.P. Bhatt, learned Senior Counsel

appearing for the Revenue has placed before us a

copy of letter dated 3rd November, 2011, addressed
by the Office of the Commissioner of Customs &
Central Excise, Hyderabad-III Commissionerate to
the Joint Commissioner in the Office of the
Commissioner, Directorate of Legal Affairs, New
Delhi, intimating him that on remand by this Court,
vide order dated 16th February, 2005 in Appeal No.
E/1402/1998, the Customs, Excise and Service Tax
Appellate Tribunal, South Zonal Bench at Bangalore,
has held that Stronic and Hivit Injections,
manufactured by the present assessee have to be
classified under Sub-Heading 3003.10, as claimed by
them. It is also stated that the said decision has
been accepted by the Commissioner on 13th June,
2005.

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In light of the said communication, nothing
survives for our consideration in this appeal. The
same is dismissed accordingly with no order as to
costs.

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(D.K. JAIN, J.)

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(ANIL R. DAVE, J.)

NEW DELHI
DECEMBER 14, 2011