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C.A.No. 4299-4305 OF 2003

ITEM No.101

Court No. 11

SECTION III

(Part-Heard)

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.4299-4305 OF 2003

Commissioner of Customs, Kandla Appellant(s)

VERSUS

M/s. Essar Oil Limited and Ors.

Respondent(s)

(With application for stay and permission to place additional documents on record and with office report)

Date : 16/09/2004 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE C.K. THAKKER

For Appellant (s)Mr. R. Mohan, A.S.G.

Ms. Nisha Bagchi,Adv.

Mr. T.A. Khan,Adv.

Mr. P. Parmeswaran,Adv.

Mr. B. Krishna Prasad,Adv.

For Respondent (s)Mr. Dushyant Dave, Sr.Adv.

1 to 4Mr. Jayant Das, Sr.Adv.

Mr. Mahesh Agrawala,Adv.

Mr. Manu Krishnan,Adv.

Mr. Rishi Agrawal,Adv.

Mr. E.C. Agrawala,Adv.

RR 5-6Mr. Devan Parekh,Adv.

Mr. Sarvsh Singh,Adv.

Ms. Nandini Gore,Adv.

Mrs. Manik Karanjawala,Adv.

RR-7Mr. Ajay Sharma,Adv.

Mr. Rupesh Kumar,Adv.

Ms. Neelam Sharma,Adv.

Mr. Tara Chandra Sharma,Adv.

Contd...2/-

UPON hearing counsel the Court made the following

O R D E R

Mr. Dushyant Dave, learned senior counsel resumed arguments at 10.30 AM and concluded at 12.10 PM. Thereafter, Mr. Jayant Das, learned senior counsel addressed the Court upto 12.25 PM. After that, Mr. Devan Parekh, learned counsel started his arguments and concluded at 2.30 PM.

Mr. Ajay Sharma, learned counsel addressed the Court for ten minutes. Mr. R. Mohan, learned Additional Solicitor General made his submissions, in rebuttal, upto 3.05 PM. Hearing concluded. Judgment reserved.

If any written submission have to be filed by the parties, the same shall be done by 20.09.2004.

(Neena Verma) (Vijay Aggarwal)  
Court Master Court Master

LIST OF BOOKS REFERRED

- 1.1988 (Supp.) SCC 796, para-9
- 2.2002 (4) SCC 316, paras 18 & 19
- 3.1979 (2) SCC 174 at 176, paras-2 & 6
- 4.1989 (4) SCC 21, paras 2, 9 & 15
- 5.1995 (Supp.) 3 SCC 223, para-7
- 6.1996 (5) SCC 576
- 7.1987 (1) SCC 730
- 8.2000 (Vol.116) ELT page 220
- 9.2003 (4) SCC page 12 at 19, paras 17 & 22
- 10.1991 (Supp.) 1 SCC 102
- 11.1990 (Supp.) SCC 112
- 12.1969 (1) SCC 91
- 13.1995 (6) SCC 117
- 14.1998 (6) SCC 443
- 15.1969 (2) SCC 627, para-8
- 16.1990 (2) SCC 203, paras 59 to 62
- 17.2000 (6) SCC page-12, para 96
- 18.2004 (2) SCC 392, para 64
- 19.The Customs Act,1962
- 20.2001(Vol.135) ELT 625
- 21.2003 (Vol.155) ELT 541
- 22.(1886-1890) All England Law Reports, page-1