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C.A.No. 4318 OF 2001

ITEM No.28

Court No. 7

SECTION III  
A/N MATTER

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.4318/2001@@  
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COMMNR.OF CENTRAL EXCISE, BANGLORE

Appellant (s)

VERSUS

M/S KARNATKA ELECTRICITY BOARD  
( With Appln(s). for stay )  
( With Office Report )

Respondent (s)

Date : 10/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE S.N. VARIAVA

For Appellant (s) Mr. R N Trivedi, ASG  
Ms. Nisha Bagchi, Adv.  
Mr. B. Krishna Prasad,Adv.

For Respondent (s) Ms. Indu Malhotra,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J  
.SP2

The appeal is disposed of.

.SP1

(Kanwal Singh)  
Court Master

(Kanchan Jain)  
AR-cum-PS

Signed order is placed on the file.

.PA

.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp  
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R  
.....L.....I.....T.....T.....T.....T.....T.....T.....J

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4318 OF 2001@@  
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Commissioner of Central Excise                   ....Appellant  
Bangalore-III

VS.

M/s. Karnataka Electricity Board           ....Respondent

O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....J  
.SP2

It is represented by learned counsel for the parties that the point raised in this appeal is covered by the order of the Constitution Bench in Collector of Central Excise, Aurangabad vs. M/s. Benzo Chem. Inds. P. Ltd. (Civil Appeal No. 3656 of 1999 and batch) dated 19th April, 2001. This appeal is, therefore, disposed of in terms of the aforesaid order of the Constitution Bench.

Registry to enclose a copy of the Constitution Bench order along with this order.

.SP1

.....J.  
(SYED SHAH MOHAMMED QUADRI)

.....J.  
(S. N. VARIAVA)

New Delhi  
January 10, 2002.