

ORDER

CIVIL APPEAL NO. 4522/2003

Mr. R.P. Bhatt, learned Senior Counsel appearing for the Revenue, has placed before us a copy of a fax message dated 28th September, 2011, received by his instructing counsel from the Superintendent (Legal) for Additional Commissioner (Legal), intimating that, order dated 28th June, 2004, passed by a larger bench of the Customs, Excise and Service Tax Appellate Tribunal (CESTAT) in the case of M/s Indoworth India Ltd. versus Commissioner of Central Excise, Nagpur [2004 (170) E.L.T. 46 (Tri.-LB)], has been accepted by the Board and no further Special Leave Petition has been preferred by it against the said decision. In view of the acceptance by the board of the aforementioned decision, this appeal is dismissed. No order as to costs.

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CIVIL APPEAL NO. 1962/2011

In view of the order dated 12th October, 2011, passed in Civil Appeal No. 4522 of 2003, the appeal is dismissed on the ground of delay as well as on merits.

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(D.K. JAIN, J.)

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(ANIL R. DAVE, J.)

NEW DELHI
OCTOBER 12, 2011