

ITEM NO.101 (Part-heard)

COURT NO.4

SECTION IIIA

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(s). 4448-4451 OF 2000

AL-KABEER EXPORTS LTD.

Appellant (s)

VERSUS

COMMNR.OF COMMERCIAL TAXES, HYDERABAD&ORS

Respondent(s)

(With office report)

WITH

Civil Appeal NO. 6961 of 2001 (With office report)

Date: 01/09/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Appellant(s)

Mr. G.L.Sanghi, Sr.Adv.

Mr. Dhruv Mehta, Adv.

Mr. Harsh Vardhan Jha, Adv.

Mr. S.K. Mehta, Adv. for

M/S K.L. Mehta & Co.

For Respondent(s)

Mr. Anoop G.Chaudhari, Sr.Adv.

In CA 4448-51/2000

Ms. June Chaudhari, Adv.

Mr. Manoj Saxena, Adv.

Mr. Mohanprasad Meharia, Adv.

Mr. Amit Meharia, Adv.

Mr. Debojit Borkakati, Adv.

Rr-Ex-Parte

UPON hearing counsel the Court made the following

O R D E R

The Civil Appeals are dismissed as withdrawn. No order as to costs.

Anita

(Jasbir Singh)

Court Master

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(Signed order is placed on the file.)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4448-4451 OF 2000

M/s Al-Kabeer Exports Limited
Appellant (s)

... Appella

Versus

Commissioner of Commercial Taxes, Hyderabad &

Respondent (s)

... Respond

With

O R D E R

After these Appeals were fully argued and when we were about to deliver a Judgment dismissing the Appeals, Mr. G.L.Sanghi, learned senior counsel appearing for the Appellants makes a statement that he will advise his clients to pursue their remedy under Circulars dated 4th October, 2001 and 9th December, 2003. He, therefore, applies for withdrawal of the Appeals.

Mr. Anoop G.Chaudhari, learned senior counsel states that the Respondents are willing to apply the Circulars to persons who are eligible under that Circulars. He states that the Appellants are not eligible for the benefit of those Circulars. We clarify that we have not

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looked into the Circulars and have expressed no opinion as to whether or not the Appellants would be entitled to the benefit of the Circulars.

On application of Mr. Sanghi, the Appeals are dismissed as withdrawn. No order as to costs.

The Respondents will be entitled to invoke the Bank Guarantee.

.....J.

(S.N. Variava)

.....J.

(C.K. Thakker)

.....J.

(Tarun Chatterjee)

New Delhi,

September 01, 2005.