

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). 1453-1458 OF 2001

COMMNR. OF CENTRAL EXCISE, AHMEDABAD

Appellant (s)

VERSUS

DAMODAR POLY FAB (P) LTD. & ORS.

Respondent(s)

(With office report)

Date: 03/05/2006 These Appeals were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Appellant(s) Mr. M.M. Paikeday, Sr.Adv.

Ms.Kiran Bhardwaj, Adv.

Mr. B.K. Prasad, Adv.

Mr. P. Parmeswaran,Adv.

For Respondent(s) Ms. Meenakshi Arora,Adv.

UPON hearing counsel the Court made the following

O R D E R

The appellant will prepare an informal paper book which may

be typed, xeroxed or cyclostyled or produced by any such like method

containing the records relating to case and will also include (1) copy of the original show cause notice relating to the classification dispute between the parties which was resolved by the Tribunal's order dated 29.9.92, (2) copy of the assessment order/orders assessing the respondent to duty under Tariff Heading 3920.32, (3) copy of the two writ petitions filed by the respondent referred to by the Commissioner in his order dated 26.12.94 of which one writ petition was disposed of by

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directing the Assistant Collector to determine the duty amount under Chapter 39 as well as the amount of MODVAT credit available and the other writ petition requesting the benefit of MODVAT credit filed by the respondent and (4) copies of the orders of the Tribunal dated 29.9.92 as well as of the High Court disposing of the two writ petitions referred to above, within a period of four weeks.

List thereafter.

[Usha Bhardwaj]
Court Master

[Madhu Saxena]
Court Master