

f
C.A.No. 5340 OF 2001

ITEM No.206

Court No. 2

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.5340/2001

COMMNR. OF CENTRAL EXCISE, MUMBAI

Appellant (s)

VERSUS

M/S. AKAY POWERLINE PRODUCTS PVT. LTD.

Respondent (s)

(With Appln(s). for stay and office report)
(For Final Disposal)

Date : 14/12/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Appellant (s) Mr. Mukul Rohtagi, ASG
Mr. K Swami, Adv.
Mr. B. Krishna Prasad, Adv.

For Respondent (s)

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....T.....J.R

Appeal is admitted.

Following the decision of this Court dated 19th April, 2001 in Civil Appeal No. 3656 of 1999 and the connected matters, this appeal is allowed, the order of the Customs, Excise and Gold (Control) Appellate Tribunal is set aside and the case is remanded to it for a fresh decision in accordance with law.

(D.P. WALIA)
Court Master

(PREM PRAKASH)
Court Master

(Signed Order is placed on the file)

.PA
.....L.....I.....T.....T.....T.....T.....T.....T.....T.....T.....J.R
.PL60

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5340 OF 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Commissioner of Central Excise, Mumbai ..Appellant(s)

vs.

M/s. Akay Powerline Products Pvt. Ltd. ..Respondent(s)

O R D E R@@
CCCCCCCC

.SP2

Appeal is admitted.

Following the decision of this Court dated 19th April, 2001 in Civil Appeal No. 3656 of 1999 and the connected matters, this appeal is allowed, the order of the Customs, Excise and Gold (Control) Appellate Tribunal is set aside and the case is remanded to it for a fresh decision in accordance with law.

.SP1

.....J.
(B.N. KIRPAL)

.....J.
(K.G. BALAKRISHNAN)

.....J.
(ARIJIT PASAYAT)

New Delhi;
December 14, 2001.