

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.17443-17446/2005

(From the judgment and order dated 14.1.2005 passed by the Customs, Excise & Service Tax Appellate Tribunal, New Delhi in FO.No.31-34/05-C in Appeal Nos.E/A 2837/04 and E/2913 & 2914/04)

C.C.E., JAIPUR

Petitioner(s)

VERSUS

M/S. RAJASTHAN FOILS PVT. LTD. & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP, and office report)

Date: 21/11/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s) Mr. TS Doabia, Sr.Adv.
Mr. Ajay Sharma, Adv.
Mr.BV Balramdas, Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr. S.K. Bagaria, Sr.Adv.
Ms. Meenakshi Arora,Adv.

UPON hearing counsel the Court made the following
ORDER

We have heard learned counsel for the parties.

The orders impugned in the present special leave petitions are subject to appeal under Section 35-G of the Central Excise Act, 1944. It was stated that the special leave petitions were filed on 14th January, 2005 and since then the matters are pending here.

:2:

On the facts and in the circumstances of the case, in our opinion, when appeals are maintainable against the orders impugned in the present special leave petitions, it would not be proper to entertain special leave petitions. It is open to the petitioner to approach appellate forum. If such appeals are filed within a period of 30 days from today, the appellate forum will decide them on their own merits, without raising any objection as to limitations.

The special leave petitions are disposed of accordingly.

[Usha Bhardwaj]
Court Master

[Vinod Kulvi]
Court Master