

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal Nos.7436-7437/2000@@
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COMMNR. OF CENTRAL EXCISE, ALLAHABAD

Appellant (s)

VERSUS

M/S. TRIVENI GLASS LTD.

Respondent (s)

(With Appln(s). for stay and office report)

Date : 23/03/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Appellant (s) Mr. K.N. Raval,ASG.
Ms. Nisha Bagchi,Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent (s) Mr. Joseph Vellapally,Sr.Adv.
Mr. Rajesh Kumar,Adv.
Mr. Tarun Gulati,Adv.
Mr. Praveen Kumar,Adv.

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

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The civil appeals are dismissed as withdrawn.

(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

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

Versus~

M/s. Triveni Glass LimitedRespondent (s)

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Our attention has been invited by learned counsel for the appellant to the affidavit by Sanjeev Srivastava, Departmental Representative, who argued on behalf of the appellant before the Tribunal and the statement therein (in Para 2) that he had argued before the Tribunal that "the assessee had definitely collected sums over and above the amounts disclosed to the Revenue as realisation for the sale of goods".

Mr. Joseph Vellapally, learned counsel for the respondent, who also appeared on behalf of the respondent before the Tribunal, submits before us that no such argument was made.

Learned counsel for the appellant prays for leave to ...2/-

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withdraw the civil appeals to enable the appellant to move the Tribunal in review.

The civil appeals are dismissed as withdrawn.

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.....J.
(S.P. Bharucha)@@
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.....J.
(Doraiswamy Raju)@@
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.....J.
(Y.K. Sabharwal)@@
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