

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NOS. 2869 of 2007 and 3555-3560 of 2012

WITH

INTERLOCUTORY APPLICATION NOS. 5 and 1-6

(Applications for Vacating Stay in Civil Appeal No. 2869 of 2007 and
condonation of delay in Civil Appeal Nos. 3555-3560 of 2012)

STERLITE OPTICALS TECHNOLOGIES LTD. ETC.Appellants

-Versus-

COMMISSIONER OF CUSTOMS & CENTRAL EXCISERespondent

OFFICE REPORT

CIVIL APPEAL NO. 2869 OF 2007

It is submitted that service of notice is complete as sole respondent is represented through Mr. B.K.Prasad, Advocate.

The matter was above-mentioned was listed before the Hon'ble Court on 10th February, 2011 when the Court was pleased to pass the following order:-

“C.A. No. 2869/2007

Learned counsel for the parties pray that since the issues raised in the present appeal as also in CEXA/56/2008 (Old Tax Appeal No. 4/2006) pending before the High Court of Judicature at Bombay are inter-related and inter-connected, the said appeal may be withdrawn to this Court.

Accordingly, on the oral prayer of learned counsel for both the parties, appeal No. CEXA/56/2008 (Old Tax Appeal No. 4/2006) shall stand transferred to this Court for being taken up for disposal with the present appeal. The Registry of the High Court is directed to remit the entire record pertaining to the said appeal within two weeks, whereafter both the appeals shall be listed for hearing.”

It is submitted that High Court of Judicature at Bombay has transferred appeal No.CEXA/56/2008 to this court which has been registered as Transfer Case No.22 of 2011 and listed alongwith instant appeal.

CIVIL APPEAL NOS. 3555-3560 OF 2012

The matter was listed before the Hon'ble Court on 09th April, 2012 when the Court was pleased to pass the following order:-

“Issue notice in the application seeking condonation of delay as well as in the appeal to show cause as to why the delay in preferring the appeal be not condoned and appeal be not admitted.

Tag with C.A. No.2869 of 2007.”

It is submitted that Show cause notice was issued to sole respondent on 23rd May, 2012. Mr. B.K. Prasad, Advocate has on 21st January, 2013 filed Vakalatname/appearance alongwith Counter Affidavit. Copy of the Counter Affidavit has been included in appeal paper books.

The appeals alongwith applications above-mentioned are listed before the Hon'ble Court with this Office report.

Dated this the 03rd day of October, 2015.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. Praveen Kumar, Advocate
B-122, Sector 30, NOIDA
2. Mr. B.K. Prasad, Advocate,
Central Agency Section.
- 3 Mr. Jay Savla, Advocate

ASSISTANT REGISTRAR