

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.4341-4342 OF 2009
(Arising out of S.L.P.(C) No.20506-07/2008)

Commissioner of Central Excise & Ors.

...Appellant(s)

Versus

M/s. Ahmednagar Forgings Ltd.

...Respondent(s)

ORDER

Leave granted.

None appears for the respondent.

In view of the judgment of this Court in the case of Commissioner of Central Excise, Pune Vs. SKF India Ltd. (Civil Appeal Nos.5190-5191/2008, decided on 6th July, 2009), the impugned judgment of the CESTAT is set aside and the matter is remitted to the Tribunal. The Tribunal is directed to consider the matter afresh in the light of the said judgment.

Civil Appeals are allowed accordingly.

.....J.

(S.H. KAPADIA)

.....J.

(AFTAB ALAM)

New Delhi,
July 13, 2009.
ITEM NO.68

COURT NO.4

SECTION III

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).20506-20507/2008

(From the judgment and order No.A/36-37/08/CII/SMB dated 3/1/2008 of Customs, Excise & Service Tax Appellate Tribunal, West Zonal Bench, Mumbai in Appeal No.E/308206-Mum.)

COMMR.OF CENTRAL EXCISE-I,PUNE

Petitioner(s)

VERSUS

M/S AHMEDNAGAR FORGINGS LTD.

Respondent(s)

(With prayer for interim relief and office report)

Date: 13/07/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. Gaurav Banerji, ASG.
Mr. Rahul Kaushik, Adv.
Mrs. Anil Katiyar, Adv.
Mr. B.V. Balaram Das, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Leave granted.

None appears for the respondent.

Civil Appeals are allowed in terms of the signed order.

(N. ANNAPURNA)
COURT MASTER

(MADHU SAXENA)
COURT MASTER

(Signed order is placed on the file)