

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 4479 OF 2006

COMMNR. OF CUSTOMS (I)

Appellant (s)

VERSUS

M/S. AASU EXIM PVT. LTD.

Respondent(s)

(With appln(s) for permission to place addl. documents on record, stay, permission to place addl. documents on record and exemption from filing legible copies of Annexures and office report)
(FOR FINAL DISPOSAL)

Date: 02/11/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s) Mr. K. Radhakrishnan, Sr.Adv.
Mr. T.V. Ratnam,Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr. A.R. Madhav Rao,
Mr. Monish Panda,Adv.
Mr. M.P. Devanath,Adv.

UPON hearing counsel the Court made the following
ORDER

It is stated by Mr. K. Radhakrishnan, learned senior counsel appearing on behalf of the appellant that the question as to whether the Central Government can issue standing order under Section 151-A of the Customs Act, 1962, in regard to the determination of valuation inter alia of Partially Oriented Yarn of Polyester, Polyester Filament Yarn and Ployester Textured Yarn, has been referred to a Constitution Bench by a three-Judge Bench of this Court in Commissioner of Central Excise, Bolpur Vs. Ratan Melting & Wire Industries, Calcutta, [2005 (3) SCC 57]. In this view of the matter, put up this case for final disposal after the decision of the Constitution Bench.

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However, put up this matter on 19th November, 2007 for passing appropriate orders on the Bank Guarantees furnished by the respondents which have already been invoked.

(A.S. BISHT)
COURT MASTER

(PUSHAP LATA BHARDWAJ)
COURT MASTER