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C.A.No. 1354 OF 1999

ITEM NO. 108

COURT NO. 5

SECTION: III

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

CIVIL APPEAL NO. 1354 OF 1995@@
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M/S AARON PHARMACEUTICALS PVT. LTD. APPELLANT(S)

Versus

COLLECTOR OF CENTRAL EXCISE, BOMBAY-I RESPONDENT(S)

(With office report)

Date: 04/12/2002 This appeal(s) was/were called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Appellant (s) Mr. Kumar Rajesh Singh, Adv.
Mr. Praveen Kumar, Adv.

For Respondent (s) Mr. Raju Ramachandran, ASG
Mr. G. Venkatesh Rao, Adv.
Mr. B. Krishna Prasad, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J

.SP2 The appeal is dismissed in terms of the signed order.

.SP1
Kalyani. (JANKI BHATIA)@@
AA
COURT MASTER @@
A AA

(Signed Order is placed on the file.)

.PA
.PL60
.....L.....I.....T.....T.....T.....T.....T.....T.....J

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1354 OF 1995@@
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M/s Aaron Pharmaceuticals Pvt. Ltd. ..Appellant (s)
Versus
Collector of Central Excise, Bombay-I ..Respondent(s)

O R D E R@@
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.SP2

Heard the learned counsel for the parties.
In our view, the order passed by the Customs, Excise and Gold (Control) Appellate Tribunal in Final Order No. 372/1994-D holding that the product "Aprot" manufactured by the appellant-Company cannot be held to be 'prepared and preserved food' under Tariff Item No. 1B eligible for exemption under Notification No. 17/70 cannot be said to be, in any way, illegal or erroneous. Hence, this appeal is dismissed.

.SP1

.....J
(M.B. SHAH)

.....J
(D.M. DHARMADHIKARI)

New Delhi;
December 04, 2002.

.PA