

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(s). 1377/2011

AUSTRALIAN FOODS LTD.

Appellant(s)

VERSUS

COMMISSIONER OF CENTRAL EXCISE

Respondent(s)

Date : 26-09-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Appellant(s) Ms. Pallavi Sengupta, Adv.
Mr. Balaji Srinivasan, AOR

For Respondent(s) Mr. K. Radhakrishnan, Sr. Adv.
Mr. Arijit Prasad, Sr. Adv.
Ms. Nisha Bagchi, Adv.
Ms. Pooja Sharma, Adv.
Mr. B. Krishna Prasad, AOR

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

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

[CHARANJEET KAUR]
A.R.-CUM-P.S.

[JAGDISH CHANDER]
COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1377 OF 2011

AUSTRALIAN FOODS LTD.

APPELLANT(S)

VERSUS

COMMISSIONER OF CENTRAL EXCISE,
CHENNAI-II

RESPONDENT(S)

O R D E R

1. In view of the fact that the dispute as to classification could not have been settled by the Settlement Commission, we are of the opinion that no case for interference by this Court is made out in view of the provisions contained in Section 32 E of the Central Excise Act, 1944.

2. The civil appeal is dismissed accordingly.

.....J.
[ARUN MISHRA]

.....J.
[VINEET SARAN]

.....J.
[S. RAVINDRA BHAT]

NEW DELHI,
SEPTEMBER 26, 2019.