

t
C.A.No. 6386-6392 OF 2000

ITEM No.202

Court No. 3

SECTION III
A/N MATTER

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.6386-6392/2000

M/S.HEEMANSHU TRADERS & ORS.

Appellant (s)

VERSUS

COMMISSIONER OF CENTRAL EXCISE, SURAT

Respondent (s)

(With Appln(s). for stay and permission to place addl. documents on
record) (For Final Disposal)
(With Office Report)

Date : 07/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

For Appellant (s) Ms. Sujeeta Srivastava, Adv.
Ms. Meenakshi Arora, Adv.

For Respondent (s) Mr. Mukul Rohtagi, ASG
Mr. N K Bajpai, 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.....T.....T.....T.....J.R

The appeals are allowed, the impugned order of
the Tribunal is set aside and it is directed that the
cases be decided by the Tribunal again within four
months from today if possible.

(D.P. WALIA)
Court Master

(S.L. GOYAL)
Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6386-6392 OF 2000@@
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M/s. Heemanshu Traders & Ors. ..Appellant(s)

vs.

Commissioner of Central Excise, Surat ..Respondent(s)

O R D E R@@
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Without going into the merits, in view of the fact that the cases were disposed of ex-parte by the Tribunal, we allow these appeals, set aside the impugned order of the Tribunal and direct that the cases be decided by the Tribunal again within four months from today if possible. No adjournment at the request of the appellants will be granted. The pendency of the appeals before the Tribunal will not prejudice the right of the respondent to recover the dues from the appellants.

.SP1

.....J.
(B.N. KIRPAL)

.....J.
(U.C. BANERJEE)

.....J.
(SHIVARAJ V. PATIL)

New Delhi;
September 7, 2001.