ITEM NO.78 REGISTRAR COURT.1 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(s). 7079-7085 OF 2009

BEFORE THE REGISTRAR S.G. SHAH

COMMR.OF CUSTOMS,JAIPUR Appellant (s)

VERSUS

M/S STONE MAN MARBLE INDUSTRIES, ETC. Respondent(s)
(With appln(s) for stay,condonation of delay in filing appeal.,c/delay in re-filing appeal and office report)

Date: 28/10/2010 These Appeals were called on for hearing today.

For Appellant(s)
Mohd. Mannan, Adv.
Mrs Anil Katiyar,Adv.

For Respondent(s)
Mr. Rajesh Kumar ,Adv
Mr.M.P.Devanath ,Adv

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

There is no clarification on record that Director of M/s. Hardrock International Pvt. Ltd. and M/s. Stone Man Marble Industries are one and the same and, therefore, notice of 'X' Company cannot be served upon the 'Y' Company unless there is clarification on record that both companies are owned by the same person. More particularly, when endorsing the receipt of notice, Mr. Jagat Chandu Lal Shah has not disclosed

that he is the Director of M/s. Hardrock International Pvt. Ltd. but he has endorsed it as a Director of M/s. Stone Man Marble Industries. Appellant has to confirm service upon proper person. Since original acknowledgment is also not filed on record appellant may use the same dasti notice and get endorsement of service on proper address of M/s. Hardrock International Pvt. Ltd. on or before 2.12.2010.

(S.G. SHAH)
REGISTRAR

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