

ITEM NO.3

COURT NO.1

SECTION III

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14467/2007  
(From the judgement and order dated 07/02/2007 in CERA No. 14/2003 of The HIGH  
COURT OF JUDICATURE AT ALLAHABAD)

COMMISSIONER OF CUSTOMS &amp; CENTRAL EXCISE

Petitioner(s)

VERSUS

M/S HONGO INDIA(P) LTD.& ANR.  
(With prayer for interim relief and office report )  
(for final disposal)

Respondent(s)

WITH SLP(C) NO. 18999 of 2007  
(With prayer for interim relief and office report)  
SLP(C) NO. 20703 of 2007  
(With prayer for interim relief)(for final disposal)

Date: 14/01/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE P. SATHASIVAM  
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr.Parag P.Tripathi, ASG  
Mr.K.Radhakrishnan,Sr.Adv.

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Mr.Ashok K.Srivastava, Adv.  
Mrs.Aruna Gupta, Adv.  
Mr.Amey Narglokar, Adv.  
Mr.Kul Bharat, Adv.  
For Mrs.Anil Katiyar, Adv.  
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr.Monish Pande, Adv.  
Mr.M.P.Devanath,Adv.

In SLP(C)No.18999/07 Mr. Vinay Garg, Adv.  
Mrs.Deepam Garg, Adv.  
Ms.Jyoti Sharma,ADv.

In SLP(C)No.20703/2007 Mr.V.K.Singh, Adv.  
Ms.Rupal Bhatia, ADv.

UPON hearing counsel the Court made the following  
ORDER

Mr.Parag P.Tripathi, learned Addl.Solicitor General of India appearing for the petitioner in all the petitions started his arguments at 11.40 a.m. and concluded at 12.55 p.m .

Thereafter Mr.Monish Pande, learned counsel for the respondent in SLP(C)No.14467/2007

started his arguments and concluded at 2.30 p.m.                      Thereafter Mr.Vinay Garg, learned

counsel for the respondent in SLP(C)No.18999/2007 started and concluded at 3.05 p.m.

Thereafter Mr.V.K.Singh, learned counsel for the respondent in SLP(C)No.20703/2007

argued for about five minutes. Arguments concluded. Judgment reserved.

(G.V.Ramana)  
Court Master

(R.K.Dhawan)  
Court Master

(Veera Verma)  
Court Master

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List of Books:

1. 2002(3) SCC P.705 paras 8, 9 & 11
2. 1993 Suppl.2 SCC p.433 para 66 at p.466
3. 2000(1) SCC p.666 paras 14 & 17
4. AIR 1967 SC p.1 paras 38 & 39
5. 2005 Vol.1888 ELT p.8
6. 2007 Voo.207 ELT 377
7. 2008(3) SCC p.73
8. 1974(2) SCC p.133
9. 1995(5) SCC p.5 at 9