

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).13677/2007

(From the judgment and order dated 13/02/2007 in CWP No. 5399/2006
of The HIGH COURT OF RAJASTHAN AT JAIPUR)

COMMR.OF CUSTOMS-II,JAIPUR

Petitioner(s)

VERSUS

M/S KANAK METAL INDUSTRIES & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH

SLP(C) NO. 20713 of 2007 - With Office Report

Date: 13/05/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. D.K. Singh, Adv.
Mr. Sanjay Kumar, Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr. L.P. Dhir, Adv.
Mr. Pranab Kumar Mullick,Adv.
Mr. Manoj Yadav, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.
The appeals are disposed of.

(S. Thapar)
PS to Registrar

(Madhu Saxena)
Court Master

Two signed orders are placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3579 OF 2008
(Arising out of SLP(C) No. 13677 of 2007)

COMMR. OF CUSTOMS-II, JAIPUR

...APPELLANT (S)

VERSUS

M/S KANAK METAL INDUSTRIES & ORS.
RESPONDENT(S)

...

ORDER

Leave granted.

In our view, this was not a fit case for disposal of the Writ
Petition in limine.

In the circumstances, we set aside the impugned order and
restore D.B. Civil Writ Petition No. 5399 of 2006 to its original file for
its disposal in accordance with law.

Accordingly the appeal is disposed of with no order as to costs.

.....J.
[S.H. KAPADIA]

New Delhi,
May 13, 2008

.....J
[B. SUDERSHAN REDDY]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3582 OF 2008
(Arising out of SLP(C) No. 20713 of 2007)

COMMISSIONER, CENT.EXCISE, JAIPUR-II
APPELLANT (S)

...

VERSUS

M/S SUNCITY ALLOYS (P) LTD.

...RESPONDENT(S)

ORDER

Leave granted.

In our view, this was not a fit case for disposal of the Writ
Petition in limine.

In the circumstances, we set aside the impugned order and
restore D.B. Civil Writ Petition No. 4571 of 2006 to its original file for
its disposal in accordance with law.

Accordingly the appeal is disposed of with no order as to costs.

.....J.
[S.H. KAPADIA]

New Delhi,
May 13, 2008

.....J
[B. SUDERSHAN REDDY]