

\$

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 4894-4903 OF 2011 (FOR PREL. HEARING)

COMMNR. OF CUSTOMS, JAMNAGAR

Appellant (s)

VERSUS

M/S RELIANCE INDUSTRIES LTD.

Respondent(s)

O R D E R

The issue involved in these appeals is pending before the Rajasthan High Court as regards the applicability of the notification with regard to the duty payable in respect of the EOUs and the provisions of Section 130E(b) of the Customs Act, 1962. An objection has been taken at the initial stage on behalf of the respondent indicating that the civil appeals before this Court are pre-mature, since the matter is pending before the Rajasthan High Court.

Having regard to the above, these appeals are treated as withdrawn, with liberty to the appellant to move the appropriate High Court on the same sets of facts and question of law involved.

-2-

It has been submitted by Mr. Salve, learned senior counsel appearing for the respondent, that the question of the High Court's jurisdiction to entertain the matter, will not be raised by the respondent herein.

.....J.  
(ALTAMAS KABIR)

.....J.  
(SURINDER SINGH NIJJAR)

.....J.

NEW DELHI;  
September 12, 2011.  
ITEM NO.9

COURT NO.2

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). 4894-4903 OF 2011 (FOR PREL. HEARING)

COMMNR. OF CUSTOMS, JAMNAGAR

Appellant (s)

VERSUS

M/S RELIANCE INDUSTRIES LTD.

Respondent(s)

(With appln(s) for ex-Parte stay,permission to file additional documents

Date: 12/09/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s) Mr. H.P. Raval, ASG.  
Mr. K.Swami, Adv.  
Ms. Binu Tamta, Adv.  
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr. Harish N.Salve, Sr. Adv.  
Mr. Shyam Divan, Sr. Adv.  
Mr. Jaideep Patel, Adv.  
Mr. Tarun Gulati, Adv.  
Ms. Shilpa Belani, Adv.  
Mr. K.R. Sasiprabhu,Adv.-on-record.  
Mr. R.Chandrachud, Adv.  
Mr. Vipin Jain, Adv.

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

In terms of the signed order, the appeals  
are treated as withdrawn, with liberty to the  
appellant to move the appropriate High Court on the  
same sets of facts and question of law involved.

(Sheetal Dhingra) (Juginder Kaur)  
COURT MASTER Assistant Registrar  
[Signed order is placed on the file]