

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. 6989 OF 2004 (FOR PREL. HEARING)

GERSON DA CUNHA Petitioner(s)

VERSUS

COMMNR. OF CUSTOMS Respondent(s)

(With appln(s) for permission to submit additional document(s))

A N D

CIVIL APPEAL NOS.7048-7071/2004

(With appln.(s) for ex-parte stay and permission to file additional documents.)

Date: 16/11/2004 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE Mr. JUSTICE P.P. NAOLEKAR

For Appellant(s)

in CA 6989/04: Mr. T.R.Andhyarujina, Sr.Adv.

Mr. U.A. Rana, Adv.

Mr. Sandeep Kharel, Adv.

Mr. Madhup Singhal, Adv.

for M/s Gagrath & Co.,Adv.

in CAs.7048-71/04: Mr. Rajiv Dutta, Sr.Adv.

Mr. R. Nedumaran, Adv.

Mr. Beno Bencigar, Adv.

Mr. Uday Kumar, Adv.

Ms. Namrata, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

C.A.No.6989/2004:

The main grievance of the appellant is that he was returning to India after

retirement from employment with the United Nations Children's Fund at New York and

was entitled to the benefit of Transfer of Residence to India Rules under which

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it was permissible to import a car and there was also no restriction in sale thereof. The further contention is that the car was thus validly imported and sold but the individual case of the appellant has not been examined by the Tribunal in the impugned order. It is contended that insofar as the appellant is concerned, all requisite payments were made.

Issue notice.

C.A.Nos.7048-71/2004:

The appellants are permitted to file additional affidavit/documents within two weeks.

The case is adjourned for two weeks.

Not to be tagged with Civil Appeal No.6989/2004.

(N. Annapurna)

Court Master

(V.P. Tyagi)

Court Master