

ITEM NO.36

COURT NO.14

SECTION III

S U P R E M E            C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).33500-33501/2009

(From the judgement and order dated 13/11/2008 in WA No. 676/2007 & WA No. 677/2007 of The HIGH COURT OF MADRAS)

C.C.E,TRICHIRAPALLI &amp; ORS.

Petitioner(s)

VERSUS

M/S HAJEE A.M.ABDUL RAHMAN ROWTHER &amp; CO

Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief )

Date: 05/01/2011            These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA  
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s)            Mr.Gourab Banerjee,ASG,  
   Mr.Rajiv Nanda,Adv.  
   Ms.Shalini Kumar,Adv.  
   Mr.B.K.Prasad,Adv.  
   Mrs Anil Katiyar,Adv.

For Respondent(s)            Mr.S.Aravindh,Adv.  
   Mr.Senthil Jagadeesan,Adv.

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

Counsel appearing for the respondent states that the subject matter of the present Special Leave Petitions is covered by the decision of this Court in Commnr. Of Central Excise, Coimbatore vs. M/s. M.P. Tapes, Avanashi in SLP(C) No. 20011 of 2000 arising out of SLP(C)...CC No. 7698 of 2000 disposed of on 27.11.2000. A copy of the same is placed on record.

Counsel appearing for the petitioner, however, opposes the aforesaid position and states that in the present case what is involved is the interpretation of Section 11AA of the Central Excise Act whereas in the said case decided by this Court what was involved is the interpretation of Section 11AB of the said Act.

Counsel appearing for the respondent is permitted to file counter affidavit within a period of four weeks. Rejoinder affidavit, if any, shall be filed before the next date. The aforesaid issue shall also be considered on the next date.

(KUSUM SYAL)  
SR.P.A.

(RENU DIWAN)  
COURT MASTER