

SLP(C)No. 19966-19977 OF 2004  
ITEM No.58

Court No. 5

SECTION III  
A/N MATTER

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.19966-19977/2004

(From the judgement and order dated 25/05/2004 in Appeal No. C/885/1998, C/1508/1998 to 1518/1998 in Final order No.418-429/2004 passed by the CESTAT, Chennai)

COMMNR. OF CUSTOMS (EXPORTS) CHENNAI

Petitioner (s)

VERSUS

M/S. M.M.RUBBER CO. LTD.  
(With prayer for interim relief)

Respondent (s)

Date : 28/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)Mr. Rupesh Kumar, Adv.  
Mr. P. Parmeswaran,Adv.

For Respondent (s)

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

In spite of service, Respondent is absent.  
Leave granted.

The Appeals stand disposed of in terms of the signed order.

(K.K. Chawla)  
Court Master

(Jasbir Singh)  
Court Master

[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. \_\_\_\_\_ OF 2005  
(ARISING OUT OF SLP(CIVIL) NOS.19966-19977 OF 2004)

COMMNR. OF CUSTOMS (EXPORTS) CHENNAI

Appellant (s)

VERSUS

M/S. M.M.RUBBER CO. LTD.

Respondent (s)

O R D E R

In spite of service, Respondent is absent.

Leave granted.

In our view, it is necessary for the Tribunal to consider the question of unjust enrichment. We, therefore, set aside the impugned Order and remit the matter back to the Tribunal to consider the question of unjust enrichment. The Appellant to intimate the Respondent about this order.

The Appeals stand disposed of accordingly.

.....J.  
(S.N. Variava)

.....J.  
(H.K. Sema)  
New Delhi;  
March 28, 2005.