

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6770 OF 2004

WITH

CIVIL APPEAL NOS.4468 OF 2006, CIVIL APPEAL D.NO.15077 OF 2008, CIVIL APPEAL NOS. 2798, 4234, 4281 OF 2009, SLP © NO.949 OF 2011, CIVIL APPEAL NOS.4893, 5827, 6084, 8477 OF 2011, 732, 1627 OF 2012 AND SLP(C) NO.33598 OF 2013

WITH

INTERLOCUTORY APPLICATION NO.1
(Application for condonation of delay)

IN

CIVIL APPEAL D.NO.15077 OF 2008 AND CIVIL APPEAL NO.5827 OF 2011)

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Commissioner, Central Excise & Customs, Kerala Etc.Etc. ...Appellants

-Versus-

M/s Larsen & Tuubro Ltd. Etc. Etc. ...Respondents

OFFICE REPORT

CIVIL APPEAL NO. 6770 OF 2004 :

It is submitted that service of notice of lodgment of petition of appeal is complete as the sole respondent is represented through Mr. Jay Salva, Advocate.

It is further submitted that original record has been received from the Tribunal and same is available for the reference of Hon'ble Court.

CIVIL APPEAL NO. 4468 OF 2006 :

It is submitted that Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr. R.S.Jena, Advocate.

CIVIL APPEAL D.NO. 15077 OF 2008 :

The appeal above mentioned was listed before the Hon'ble Court on 8^h August, 2008, when the Court was pleased to pass the following Order :

"Issue notice on the application for condonation of delay.
Tag with C.A.No. 6770/2004."

Accordingly, show cause notice was issued to the sole respondent through Registered A.D. post on 3rd October, 2008. Unserved envelope containing the notice has been received back from sole respondent with postal remarks "No such company".

It is submitted that counsel for the appellant has on 12th August, 2009

filed an application for substituted service in respect of sole respondent stating therein that the -notice may be published in the newspapers viz. Times of India (English) and Gujarat Samachar (Gujarati) vide circulation in Bharuch (Gujarat). Thereafter, the application for substituted service was listed before Id. Registrar on 18th August, 2009, when he was pleased to allow the same. Counsel for the appellant has on 5th October, 2009 filed affidavit of service alongwith proof of publication. Service of show cause notice is complete by way of publication. No one has filed Vakalatnama/ Appearance on behalf of the sole respondent.

CIVIL APPEAL NO. 2798 OF 2009 :

It is submitted that Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr. B.K.Prasad, Advocate.

It is further submitted that Counsel for the respondent has filed Statement of Case. Copies of the same have been included in the Paper Books.

CIVIL APPEAL NO.4234 OF 2009

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr. Jay Savla, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

CIVIL APPEAL NO. 4281 OF 2009 :

It is submitted that service of Notice of Lodgment of Peition of Appeal is complete on the sole respondent through publication, but no one has filed Vakalatnama/Appearance so far.

It is further Counsel for the appellant has filed Statement of Case. Copies of the same have been included in the Paper Books.

SPECIAL LEAVE PETITION © NO. 949 OF 2011 :

It is submitted that there is sole respondent in this matter. Ms. Meera Mathur, Advocate has filed Vakalatnama/Appearance on behalf of the sole respondent. Counter affidavit has not been filed in this matter.

CIVIL APPEAL NO.4893 OF 2011

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through

Mr.B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

CIVIL APPEAL NO. 5827 OF 2011 :

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr.Jay Savla, Advocate.

CIVIL APPEAL NO.6084 OF 2011

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr.B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

CIVIL APPEAL NO.8477 OF 2011

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr.M.P.Devanath, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

CIVIL APPEAL NO.732 OF 2012

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr.B.K.Prasad, Advocate.

It is further submitted that Counsel for both the parties have filed Statement of Case. Copies of the same have been included in the Paper Books.

CIVIL APPEAL NO.1627 OF 2012

It is submitted that service of Notice of Lodgment of Petition of Appeal is complete as the sole respondent is represented through Mr.M.P.Devanath, Advocate.

SPECIAL LEAVE PETITION @ no.33598 of 2013

The matter above-mentioned was listed before the Hon'ble Court on 21st October, 2013, when the Court was pleased to pass the following order:

"Delay condoned.
Issue notice.
Tag with SLP © 949 OF 2011"

Accordingly Show Cause Notice was issued to the sole respondent.

Ms. Praveena Gautam, Advocate has filed Vakalatnama/Appearance and Counter Affidavit on behalf of the sole respondent. Copy of the same has been included in the Paper Books.

The matters are listed before the Hon'ble Court with this Office Report.

Dated this the 20th day of July, 2015.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. B.K. Prasad, Advocate,
Central Agency Section
2. Mr. Jay Salva, Advocate
A/56-A, Lajpat Nagar-II, Central Market,
Main Road, New Delhi - 110024
3. Mr. M.P.Devanath, Advocate
5, Jangpura Extn., New Delhi

ASSISTANT REGISTRAR