

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

TRANSFERRED CASE (CIVIL) NO.32 OF 2007

M/S. HINDALCO INDUSTRIES LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

T.C.(C)No.33/2007; T.C.(C)No.36/2007;  
W.P.(C)No.27/2008 [With appln. for ex-parte stay];  
T.C.(C)NO.1/2008; and T.C.(C)NO.3/2008.

Date: 05/08/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN  
HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Petitioner(s) Mr. C.A. Sundaram, Sr. Adv.  
in TC(C)33/07 Mr. Tarun Gulati, Adv.  
Mr. Rohan Shah, Adv.  
Mr. Tushar Jarwal, Adv.  
Mr. Praveen Kumar, Adv.

in TC(C) 32/07 Dr. A.M. Singhvi, Sr. Adv.  
Mr. Rohan Shah, Adv.  
Mr. Tarun Gulati, Adv.  
Mr. Tushar Jarwal, Adv.  
Mr. Praveen Kumar, Adv.

in TC(C) 3/08 Mr. S.K. Bagaria, Sr. Adv.  
Mr. Vikram S. Nankani, Adv.  
Mr. Tarun Gulati, Adv.  
Mr. Tushar Jardal, Adv. for  
Mr. Praveen Kumar, Adv.

in TC(C) 36/07 Mr. Manu Nair, Adv.  
Mr. Amit Jain, Adv. for  
M/s. Suresh A. Shroff & Co., Advs.

in WP(C) 27/08 Mr. S. Ganesh, Sr. Adv.  
Mr. Rohan Shah, Adv.  
Mr. Tarun Gulati, Adv.  
Mr. Tushar Jarwal, Adv.  
Mr. R. Chandrachud, Adv. for  
Mr. K.R. Sasiprabhu, Adv.

T.C.(C)No.32/2007 etc. .... (contd.)

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For Respondent (s) Mr. A.D.N. Rao, Adv.  
(DGFT)

UOI Mrs. Anil Katiyar, Adv. (Not present)

UPON hearing counsel the Court made the following  
ORDER

On 14th November 2007, Civil Appeal No.1589 of 2006 was listed along with T.C.(C)No.32 of 2007 etc. and this Court started hearing the case. On 15th November 2007 T.C.(C)No.32 etc. were ordered to be listed in the third week of January 2008 and the hearing in C.A.No.1589 of 2006 was continued. However, on 20th November 2007, during the course of hearing of the said appeal, counsel for the appellants pressed into service a judgment of the Madras High Court in the case of M/s. Adani Exports Ltd. v. Union of India 2003 (151) ELT 520(Mad.) which was authored by one of us (Hon'ble Mr. Justice V.S. Sirpurkar) which would have a bearing on the points involved in C.A.No.1589 of 2006 etc. Hence, the said appeals were ordered to be listed before a Bench of which Hon'ble Mr. Justice V.S. Sirpurkar is not a member.

We find that one of the points involved in these cases overlaps with the points raised in C.A.No.1589/06 etc.

To be listed before some other Bench.  
Liberty to mention.

(Subhash Chander)  
Court Master

(Kanwal Singh)  
Court Master