

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

RECORD OF PROCEEDINGS

T.C.(C) No. 51 of 2006

POLAR PHARMA INDIA LTD. & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

TC Nos. 52-56/2006, 58-74/2006, 76-79/2006

SLP (C) Nos.2126/2005

SLP(C) Nos.3480-3483/2005

(with application for c/delay in filing rejoinder and with prayer for interim relief and offic
e report)

Date: 12/04/2006 These Matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE DEVINDER KUMAR JAIN

For Union of India

Mr. G.E.Vahanvati, SG

Mr. A.Subba Rao, Adv.

Mr. Navin Prakash, Adv.

Mr. Chinmoy Pradip Sharma, Adv.

Mr. B.K. Prasad, Adv.

Mr. P.Parmeswaran, Adv.

For Petitioner(s)

Mr. Joseph Vellapally, Sr. Adv.

Mr. Ravinder Narain, Adv.

in TC 65-74/2006 &

Mr. Rajan Seth, Adv.

for Respondent(s)

Mr. Babu Iyer, Adv.

in SLP 3480-83/2005 Mr. Sanjeev Dahiya, Adv.

Mr. Ajay Aggarwal, Adv.

Mr. Rajan Narain, Adv.

For Petitioner(s) Mr. Ashok Sagar, Adv.

in TC 54/2006 Ms. Meera Agarwal, Adv.

For Respondent(s) Mr. Madhav Rao, Adv.

Mr. Alok Yadav, Adv.

Mr. M.P.Devanath, Adv.

Mr. Premal R. Nanavaty, Adv.

Mr. Kaushik I. Vyas, Adv.

Mrs.V.D. Khanna, Adv.

Ms. Nirmala Gupta, Adv. for

M/s I.M.Nanavati Associates, Adv.

UPON hearing counsel the Court made the following

O R D E R

Clauses 5 & 6 of the impugned Circular dated 6th July, 2001 read:

made under "5. All pending brand rate applications for exports
DEPB Scheme against DEPB-cum-Drawback Shipping bills may be
processed/disposed of accordingly.

inst DEPB- cum- 6. Decisions in respect of past exports made aga
n Drawback Shipping bills, where brand rate of drawback has already bee
ons shall granted, shall be examined separately and suitable instructi
follow."

s has been issued by the On a query put by the Bench as to whether any instruction

Government of India in respect of past exports made against DEPB-cum-Drawb

ack Shipping bills,

where brand rate of drawback has already been granted in terms of clause 6, learned Solicitor General

seeks time to get instructions.

Adjourned by two weeks.

Singh)	(Parveen Kr. Chawla)	(Kanwal
Master	Court Master	Court