

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5853 & 6545 OF 2015

Commissioner of Central Excise, Panchkula Etc. ...Appellant(s)

-Versus-

M/s. English Indian Clay Ltd. Etc. ...Respondent(s)

OFFICE REPORT

C.A. No.5853/2015

The matter was listed before the Hon'ble Court on 27th July, 2015, when the Court was pleased to pass the following orders:-

“Civil Appeal D 19791 of 2015

Delay condoned.

Issue notice.

Mr. M. P. Devanath, learned counsel, accepts notice on behalf of the respondent.

List all the matters on 18.08.2015.

Pleadings be completed in the meantime.”

Accordingly, Notice of Lodgement of Petition of Appeal was issued on 13th August 2015 through Mr. M.P. Devanath, Advocate who has already filed Caveat/Vakalatnama/ Appearance on behalf of the Sole Respondent, but he has not Counter Affidavit of Case so far. Time to file Statement of Case has expired, but no one has filed Statement of Case so far.

It is further submitted that the Counsel for the Appellant has not filed deficit court fee despite undertaking/ valuation given in petition of appeal (Page 87).

C.A. No. 6545/2015

The Office Report was listed before the Ld. Registrar Court on 17th March 2016, when the following order was passed:-

...2/-

“Fresh steps for service on sole respondent be taken within four weeks time.

Learned Counsel for the appellant is directed to deposit the deficit court fee within four weeks time.

List again on 8.7.2016.”

It is submitted that Dasti Notice was handed over to the Counsel for the Appellant on 01st April 2016 and Mr. B.K. Prasad, Advocate has on 6th May 2016 filed Affidavit with Proof of Service.

It is further submitted that Proof of Service filed with Affidavit of Service shows that name of Sole Respondent has changed from “M/s. Riddhi Siddhi Gluco Biols Ltd.” to “M/s. Roquette Riddhi Siddhi Pvt. Ltd.”, but Counsel for the Appellant has not filed application for amendment of cause title alongwith certificate of incorporation despite this Registry's Letter dated 10th May 2016.

It is lastly submitted that Counsel for the Appellant has not filed deficit court fee so far.

The Office Report is listed before the Ld. Registrar Court.

Dated this the 5th day of July 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate
Central Agency Section.
2. Mr. M.P. Devanath, Advocate
5, Jangpura Extension, Link Road,
New Delhi-110014.

ASSISTANT REGISTRAR