

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 24870 OF 2014
WITH
PRAYER FOR INTERIM RELIEF

Commissioner of Customs, Central Excise and
Service Tax, Hyderabad-IV

...Petitioner

-VERSUS-

M/s Vinakaya Steels Ltd.

...Respondent

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 8th September, 2014 when the Court was pleased to pass the following order:-

**“Delay condoned.
Notice.
Tag with S.L.P. © No. 19498/2010.”**

Accordingly, show cause notice was issued to sole respondent through Registered A.D. Post on 26th September, 2014. Neither A.D. card nor unserved cover containing the notice has been received back from the sole respondent.

It is submitted that as per the order of Ld. Registrar dated 16th March, 2015 show cause notice was issued to the counsel for the petitioner for effecting service on the unserved sole respondent. The counsel for the petitioner has on 2nd September, 2015 filed affidavit of service alongwith proof of service which shows that notice has been served on the sole respondent on 27th August, 2015.

The office report regarding service position was listed before the Ld. Registrar's Court from time to time and lastly on 8th September, 2015, when the following order was passed:-

“The office report indicates that service of notice is complete on the sole respondent but no one has entered appearance on his behalf. Viewed, in this context, the matter shall be processed for listing before the Hon'ble Court, under the rules.”

It is submitted that Mr. Rupesh Kumar, Advocate has on 22nd September, 2015 filed Vakalatnama/Appearance on behalf of sole respondent but has not filed counter affidavit so far.

It is further submitted that Special Leave Petition © No. 19498 of 2010 mentioned in the Record of Proceedings dated 8th September, 2014 (arising out of relied upon order) has already been dismissed by the Hon'ble Court on 12th July, 2010 alongwith with other connected matters. Copy of Record of Proceedings dated 12th July, 2010 is enclosed herewith for the kind perusal of the Hon'ble Court.

The matter is listed before the Hon'ble Court with this office report.

Dated this the 24th Day of September, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate
Central Agency Section.
2. Mr. Rupesh Kumar, Advocate
131, Lawyers Chambers.

ASSISTANT REGISTRAR

c3