

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2515-2519 OF 2011

COMMISSIONER OF CUSTOMS (PREVENTIVE), NEW DELHI Appellant

VERSUS

M/s. AIRMID AVIATION SERVICES (P) LTD. & OTHERS Respondents

WITH

CIVIL APPEAL NO. _____ OF 2021
(DIARY NO.17296 OF 2020)

COMMISSIONER OF CUSTOMS (IMPORT), MUMBAI Appellant

VERSUS

M/s. AIRMID AVIATION PVT. LTD. Respondent

AND

CIVIL APPEAL NOS.10789-10790 OF 2011

COMMISSIONER OF CUSTOMS (PREVENTIVE), NEW DELHI Appellant

VERSUS

M/s. DOVE AIRLINES (PVT.) LTD. & ANOTHER Respondents

O R D E R

These appeals filed under Section 130-E of the Customs Act, 1962 are directed against the (1) judgment and final order No.C/170-174/10 dated 12.11.2010 passed by the Customs, Excise & Service Tax Appellate Tribunal, New Delhi in Appeal Nos.C/493 to 497/2009 and C/CO/212/2009; (2) final impugned order No.A/87028/2019 dated 11.9.2019 passed by the Customs, Excise & Service Tax Appellate Tribunal, Mumbai, West Zonal Bench in Custom Appeal No.411 of 2011; and, (3) judgment and

final order No. C/237-238/2011-CU(DB) dated 03.06.2011 passed by the Customs, Excise and Service Tax Appellate Tribunal, New Delhi in Appeal No. C/260/2010-C261/2010-CU(DB).

Delay of 282 days in filing Civil Appeal Diary No.17296 of 2020 is condoned.

We have heard Mr. Sanjay Jain, learned Additional Solicitor General in support of the appeals and learned counsel appearing for the assesseees.

We have gone through the statement of case filed on behalf of the appellant and do not find that the issues raised come within the four corners of Section 130-E of the Customs Act, 1962.

We, therefore, do not see any reason to entertain these appeals in our jurisdiction under Section 130-E of the Customs Act, 1962.

The civil appeals are, therefore, dismissed leaving all questions of law open to be agitated in an appropriate case.

.....J.
(UDAY UMESH LALIT)

.....J.
(S. RAVINDRA BHAT)

New Delhi,
November 26, 2021.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.8829 OF 2011

CAPT K.N.G. NAIR

Appellant

VERSUS

COMMISSIONER OF CUSTOMS (IMPORT), MUMBAI

Respondent

WITH

CIVIL APPEAL NO.8699 OF 2011

KING ROTORS & AIR CHARTER PRIVATE LTD.

Appellant

VERSUS

COMMISSIONER OF CUSTOMS (ACC & IMPORT), MUMBAI

Respondent

O R D E R

Heard learned counsel for the appellants.

These matters do not come within the sphere of Section 130-E of the Customs Act, 1962. We, therefore, do not see any reason to interfere in these matters.

These appeals are, therefore, dismissed.

.....J.
(UDAY UMESH LALIT)

.....J.
(S. RAVINDRA BHAT)

New Delhi,
November 26, 2021.

IN THE SUPREME COURT OF INDIA
 CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS.5430-5432 OF 2017

M/s. INTERNATIONAL AIR CHARTER
 OPERATIONS (I) PVT. LTD. ETC.

Appellants

VERSUS

COMMISSIONER OF CUSTOMS (PREVENTIVE), NEW DELHI

Respondents

O R D E R

Mr. Siddharth Dutta, learned Advocate appearing for the appellant submits that he has instructions to withdraw the instant civil appeals.

Statement recorded.

The civil appeals are, accordingly, dismissed as withdrawn.

.....J.
 (UDAY UMESH LALIT)

.....J.
 (S. RAVINDRA BHAT)

New Delhi,
 November 26, 2021.

Mr. Siddharth Dutta, Adv.
Mr. Kumar Dushyant Singh, AOR

Mr. Tarun Gulati, Sr. Adv.
Mr. Kishore Kunal, AOR
Mr. Manish Rastogi, Adv.
Ms. Akanksha Mehta, Adv.
Ms. Kanak Grover, Adv.
Mr. Parth, Adv.
M/s. Khaitan & Co., AOR

Mr. S.K. Bagaria, Sr. Adv.
Mr. Padam Khaitan, Adv.
Mr. Sanjeev Kapoor, Adv.
Mr. Rahul Dhanuka, Adv.
Ms. Snehal Kakrania, Adv.
M/s. Khaitan & Co., AOR

Ms. Sonali Jaitley Bakhshi, Adv.
Mr. Jaiyesh Bakhshi, Adv.
Mr. Pallav Pandey, Adv.
Mr. Animesh Sinha, Adv.
Ananya Mishra, Adv.
Mr. Omung Raj Gupta, Adv.
Mr. Siddharth Dey, Adv.
Mr. P. V. Yogeswaran, AOR

Mr. Praveen Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

ITEM NO.13 - CIVIL APPEAL NOS.2515-2519 OF 2011; ITEM NO.13.1 CIVIL APPEAL DIARY NO.17296 OF 2020; AND, ITEM NO.13.4 - CIVIL APPEAL NOS.10789-10790 OF 2011.

Delay condoned.

The appeals are dismissed leaving all questions of law open to be agitated in an appropriate case, in terms of the Signed Order placed on the file.

Pending applications, if any, also stand disposed of.

ITEM NO.13.2 - CIVIL APPEAL NO.8829 OF 2011; AND, ITEM NO.13.3 - CIVIL APPEAL NO.8699 OF 2011

The appeals are dismissed, in terms of the Signed Order placed on the file.

Pending applications, if any, also stand disposed of.

ITEM NO.13.5 - CIVIL APPEAL NOS.14535-14537 OF 2015

List on 06.12.2021.

ITEM NO.13.6 - CIVIL APPEAL NOS.5430-5432 OF 2017

The appeals are dismissed as withdrawn, in terms of the Signed Order placed on the file.

(MUKESH NASA)
COURT MASTER

(VIRENDER SINGH)
BRANCH OFFICER

(Three Signed Orders are placed on the File)