

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2022
(DIARY NO. 3973 OF 2021)

THE COMMISSIONER OF CUSTOMS (PREVENTIVE) KOLKATA Appellant(s)

VERSUS

M/S R. G. OVERSEAS

Respondent(s)

WITH

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8434 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8435 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8441 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8444 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8709 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8710 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8710 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8715 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 8738 OF 2021)

CIVIL APPEAL NO. OF 2022
(DIARY NO. 14491 OF 2021)

CIVIL APPEAL NO. _____ OF 2022
(DIARY NO. 17365 OF 2021)

CIVIL APPEAL NO. _____ OF 2022
(DIARY NO. 20529 OF 2021)

CIVIL APPEAL NO. _____ OF 2022
(DIARY NO. 8705 OF 2021)

CIVIL APPEAL NO. _____ OF 2022
(DIARY NO. 29622 OF 2021)

CIVIL APPEAL NO. _____ OF 2022
(DIARY NO. 29652 OF 2021)

O R D E R

The appellant(s) to remove office objections and take steps to serve the unserved respondent(s) before 26.04.2022.

Dasti, in addition, is permitted.

In case, the appellant(s) fail to remove the office objections and serve the respondent(s) in the concerned appeal(s), that appeal(s) shall stand dismissed for non-prosecution without further reference to the Court qua the concerned respondent(s).

List on 29.04.2022.

.....,J.
(A.M. KHANWILKAR)

.....,J.
(ABHAY S. OKA)

NEW DELHI;
MARCH 21, 2022.

ITEM NO.10+40 Court 3 (Video Conferencing)

SECTION XVII-A

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

CIVIL APPEAL Diary No(s). 29652/2021

(Arising out of impugned final judgment and order dated 28-11-2017 in AN No. 76351/2017 passed by the Customs, Excise And Service Tax Appellate Tribunal, East Zonal Bench, Kolkata)

THE COMMISSIONER OF CUSTOMS (PREVENTIVE) KOLKATA Petitioner(s)

VERSUS

M/S R. G. OVERSEAS

Respondent(s)

(IA No.17733/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.17732/2022-STAY APPLICATION and IA No.17731/2022-CONDONATION OF DELAY IN FILING APPEAL[TO BE TAKEN UP ALONGWITH C.A. DIARY NO. 3973/2021])

WITH

CIVIL APPEAL Diary No(s). 3973/2021

(IA No. 43411/2021 - CONDONATION OF DELAY IN FILING APPEAL, IA No. 43413/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 43412/2021 - STAY APPLICATION)

WITH

Diary No(s). 8434/2021 (XVII-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 68599/2021 FOR EX-PARTE STAY ON IA 68600/2021 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 68601/2021, IA No. 68599/2021 - CONDONATION OF DELAY IN FILING, IA No. 68600/2021 - EX-PARTE STAY AND IA No. 68601/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 8435/2021 (XVII-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 61268/2021, FOR STAY APPLICATION ON IA 61269/2021 AND FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 61270/2021

IA No. 61268/2021 - CONDONATION OF DELAY IN FILING

IA No. 61270/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 61269/2021 - STAY APPLICATION)

Diary No(s). 8441/2021 (XVII-A)

(FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 68478/2021 FOR EX-PARTE STAY ON IA 68479/2021 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 68480/2021

IA No. 68478/2021 - CONDONATION OF DELAY IN FILING APPEAL

IA No. 68479/2021 - EX-PARTE STAY

IA No. 68480/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 8444/2021 (XVII-A)
 (FOR STAY APPLICATION ON IA 75656/2021
 FOR CONDONATION OF DELAY IN FILING ON IA 75659/2021
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 75662/2021, IA No. 75659/2021 - CONDONATION OF DELAY IN FILING
 IA No. 75662/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT, IA No. 75656/2021 - STAY APPLICATION)

Diary No(s). 8709/2021 (XVII-A)
 (FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 73582/2021
 FOR EX-PARTE STAY ON IA 73583/2021, AND
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 73584/2021

IA No. 73582/2021 - CONDONATION OF DELAY IN FILING APPEAL, IA No.
 73583/2021 - EX-PARTE STAY, IA No. 73584/2021 - EXEMPTION FROM
 FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 8710/2021 (XVII-A)
 (FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 64901/2021, FOR
 STAY APPLICATION ON IA 64902/2021, FOR EXEMPTION FROM FILING C/C OF
 THE IMPUGNED JUDGMENT ON IA 64903/2021, IA No. 64901/2021 -
 CONDONATION OF DELAY IN FILING APPEAL, IA No. 64903/2021 -
 EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No.
 64902/2021 - STAY APPLICATION)

Diary No(s). 8715/2021 (XVII-A)
 (FOR CONDONATION OF DELAY IN FILING ON IA 67546/2021, FOR EXEMPTION
 FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 67547/2021
 FOR STAY APPLICATION ON IA 67548/2021, IA No. 67546/2021 -
 CONDONATION OF DELAY IN FILING, IA No. 67547/2021 - EXEMPTION FROM
 FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 67548/2021 - STAY
 APPLICATION)

Diary No(s). 8738/2021 (XVII-A)
 (FOR CONDONATION OF DELAY IN FILING ON IA 66599/2021, FOR STAY
 APPLICATION ON IA 66601/2021, FOR EXEMPTION FROM FILING AFFIDAVIT
 ON IA 131398/2021, IA No. 66599/2021 - CONDONATION OF DELAY IN
 FILING, IA No. 131398/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 66601/2021 - STAY APPLICATION)

Diary No(s). 14491/2021 (XVII-A)
 (FOR CONDONATION OF DELAY IN FILING ON IA 81534/2021, FOR STAY
 APPLICATION ON IA 81535/2021, FOR EXEMPTION FROM FILING C/C OF THE
 IMPUGNED JUDGMENT ON IA 81536/2021, IA No. 81534/2021 - CONDONATION
 OF DELAY IN FILING, IA No. 81536/2021 - EXEMPTION FROM FILING C/C
 OF THE IMPUGNED JUDGMENT AND IA No. 81535/2021 - STAY APPLICATION)

Diary No(s). 17365/2021 (XVII-A)
 (FOR CONDONATION OF DELAY IN FILING ON IA 96211/2021
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 96212/2021, FOR STAY APPLICATION ON IA 96213/2021, IA No.
 96211/2021 - CONDONATION OF DELAY IN FILING, IA No. 96212/2021 -
 EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No.
 96213/2021 - STAY APPLICATION)

Diary No(s). 20529/2021 (XVII-A)

Diary No(s). 5179/2021 (XVII-A)

(FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 39128/2021, FOR STAY APPLICATION ON IA 39129/2021, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 39130/2021, FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 131352/2021, IA No. 39128/2021 - CONDONATION OF DELAY IN FILING APPEAL, IA No. 131352/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 39130/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 39129/2021 - STAY APPLICATION)

Diary No(s). 8705/2021 (XVII-A)

(FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 71023/2021, FOR EX-PARTE STAY ON IA 71024/2021, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 71025/2021, IA No. 71023/2021 - CONDONATION OF DELAY IN FILING APPEAL, IA No. 71024/2021 - EX-PARTE STAY, IA No. 71025/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 29622/2021 (XVII-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 14801/2022, FOR EX-PARTE STAY ON IA 14802/2022, FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 14803/2022, IA No. 14801/2022 - CONDONATION OF DELAY IN FILING, IA No. 14802/2022 - EX-PARTE STAY, IA No. 14803/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 21-03-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)

Mr. N.Venkataraman, LD ASG
Mr. K.M.Nataraj, LD ASG
Mr. M.K.Maroria, AOR
Mr. Ketan Paul Adv.
Ms. Sunita Rani Singh, Adv.
Mr. Ashok Panigrahi, Adv.
Ms. Nisha Baghi, Adv.
Mr. H.R.Rao, Adv.
Ms. Binu Tamta, Adv.
Mr. Tejas Patel, Adv.
Mr. Mohd. Akhil Adv
Ms. Priyanka Das, Adv
Mr. Rupesh Kumar, Adv
Mr. Digvijay Dam, Adv

For Respondent(s)

Mr. Kunal Chatterji, AOR

UPON hearing the counsel the Court made the following

O R D E R

Diary No(s). 29652/2021 and 17365 of 2021

Issue notice on the application for condonation of delay as well as on the Civil Appeals.

Dasti, in addition, is permitted.

To be heard alongwith Diary No(s). 5179/2021 and connected cases on 29.04.2022.

CIVIL APPEAL Diary No(s). 3973, 8434, 8435, 8441, 8444, 8709, 8710, 8715, 8738, 14491, 17365, 20529, 8705/2021, 29622 and 29652/2021

The appellant(s) to remove office objections and take steps to serve the unserved respondent(s) before 26.04.2022.

Dasti, in addition, is permitted.

In case, the appellant(s) fail to remove the office objections and serve the respondent(s) in the concerned appeal(s), that appeal(s) shall stand dismissed for non-prosecution without further reference to the Court *qua* the concerned respondent(s).

List on 29.04.2022.

Diary No(s). 5179/2021 and 8715/2021

List these matters on 29.04.2022.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)