

ITEM NO.10 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
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No(s) . 3973/2021

(Arising out of impugned final judgment and order dated 19-03-2018 in CA No. 76515/2014 19-03-2018 in CA No. 76516/2014 19-03-2018 in CA No. 76517/2014 19-03-2018 in CA No. 76518/2014 passed by the Customs Excise And Service Tax Appellate Tribunal, Kolkata)

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

VERSUS

VISHAL TRADERS

Respondent(s)

(FOR ADMISSION and I.R. and IA No.43413/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.43412/2021-STAY APPLICATION and IA No.43411/2021-CONDONATION OF DELAY IN FILING APPEAL)

Date : 08-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s)

Mr. K.M.Nataraj LD ASG
Mr. M.K.Maroria AOR
Ms. Sunita Rani Singh Adv
Mr. Ashok Panigrahi Adv
Mr. Ketan Paul Adv
Ms. Nisha Bagchi Adv.

For Respondent(s)

Mr. Santosh Kumar Bagaria, Sr.Adv
Mr. Nirmal Kumar Chowdhury, Adv
Mr. Kunal Chatterji, AOR
Mr. Arijit Chakraborty, Adv
Ms. Maitrayee Banerjee, Adv

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

Leave to amend the synopsis and appeal memo is granted.

Amendment be carried out on or before 21.10.2021.

Mr. K.M. Natraj, learned Additional Solicitor General appearing for the appellant(s) submits that issue raised in this appeal has been answered in favour of the department in the case of *S.Krishna & Co. vs. Commissioner* reported in 2015 (321) ELT A205 (S.C.) and that exposition has been affirmed by this Court with dismissal of the C.A. No. 5020 of 2014 on 05.12.2014.

Issue notice, returnable within six weeks.

Dasti, in addition, is permitted.

Amended copy of the appeals be served on the learned counsel appearing for the respondents.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)