

SECTION-IIIB

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5139-5141 OF 2015

WITH

INTERLOCUTORY APPLICATION NO.1-3

[Applications for condonation of delay in filing the petition of appeal]

Commissioner of Central Excise, Indore

...Appellant(s)

-Versus-

M/s. Inter Metal Trade Ltd. And Others

...Respondent(s)

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 8<sup>th</sup> July 2015, when the Court was pleased to pass the following orders:

**“Issue notice on the applications for condonation of delay as well as on the appeals.”**

Accordingly, show cause notice was issued on 16<sup>th</sup> July 2015 to all the three Respondents through Registered A.D. Post. Mr. Pawanshree Agrawal, Advocate has on 2<sup>nd</sup> and 4<sup>th</sup> September 2015 filed Vakalatnama/Appearance on behalf of all the three Respondents.

It is submitted that Office Report with regard to non-filing of Counter Affidavit and Deficit Court Fee was lastly listed before the Ld. Registrar Court on 5<sup>th</sup> April 2016, when the following orders were passed:

**“Respondent nos. 1 to 3 have not filed counter affidavit despite last opportunity granted. Further opportunity is hereby declined.**

**Last opportunity of three weeks is granted for filing deficit court fee. Registry thereafter to process the matter for being listed before the Hon'ble Court.”**

It is submitted that Counsel for Respondent Nos.1 to 3 has on 18<sup>th</sup> April 2016 filed Counter Affidavit (in separate volume). Paper Books of Counter Affidavit have been placed with appeal paper books.

...2/-

It is further submitted that Counsel for the Appellant has not filed Deficit Court fee so far.

The matters alongwith applications above-mentioned are listed before the Hon'ble Court with this Office Report.

Dated this the 28<sup>th</sup> day of February 2017.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate  
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2. Mr. Pawanshree Agrawal, Advocate  
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ASSISTANT REGISTRAR

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