

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 2021 AND 2452-2455 OF 2014

Commissioner of Service Tax Ahmedabat Etc. ....Appellants

-Versus-

M/s Sunder Balan Etc. ...Respondents

OFFICE REPORT

CIVIL APPEAL NO. 2021 OF 2014

The appeal above-mentioned was listed before the Hon'ble Court on 10<sup>th</sup> February, 2014, when the Court was pleased to pass the following orders:

**“Dealy condoned.  
Notice.  
Tag with C.A. Nos. 295-299 of 2014.”**

Accordingly, Notice of Lodgment of Petition of Appeal was issued on 19<sup>th</sup> February, 2014 to the Sole Respondent through Registered A.D. Post. Mr. B.K. Prasad, Advocate has on 26<sup>th</sup> November, 2014 filed letter for dasti notice to be served on unserved sole respondent. The letter was on 28<sup>th</sup> November, 2014 placed before Ld. Registrar, when he was pleased to pass the following order:-

**“Let dasti notice be issued, as prayed. However,  
Ld. Counsel be directed to file an affidavit in this  
respect alongwith proof of service within four weeks.”**

Accordingly, Notice of Lodgment of Petition of Appeal was handed over on 3<sup>rd</sup> December, 2014 to Mr. B.K. Prasad, Advocate for appellant to serve to sole respondent and file affidavit of service alongwith proof of service within four weeks from date of receipt of notice.

It is submitted that affidavit of proof of dasti service with acknowledgement has on 20<sup>th</sup> February, 2015 filed by Mr. B.K. Prasad, Counsel for the appellant but no one has filed Vakalatnama/Appearance on behalf of respondent so far.

It is further submitted that notice for statement of case has been issued to Mr. B.K. Prasad, Advocate for appellant on 16<sup>th</sup> December, 2015 but no statement of case has been filed so far.

CIVIL APPEAL NOS. 2452-2455 OF 2014

The appeals above-mentioned were listed before the Hon'ble Court on 17<sup>th</sup> February, 2014, when the Court was pleased to pass the following orders:-

**“Learned counsel for the petitioner states that the issue raised in this Civil Appeal is identical with the issue raised in Civil Appeal No. 2013/2014 @ SLP(C) No. 32257/2013. Placing on record the statement so made by the learned counsel, we condone the delay, issue notice and tag with C.A. No. 2013/2014.”**

Accordingly, Notice of Lodgment of Petition of Appeal was issued on 26<sup>th</sup> February, 2014 to the Sole Respondent through Registered A.D. Post. Mr. M.P. Devanath, Advocate has on 9<sup>th</sup> April, 2014 filed Vakalatnama/Appearance on behalf of the Sole Respondent, but he has not filed counter Affidavit so far.

It is submitted that counsel for the appellant has filed statement of case, but counsel for respondent has not filed statement of case so far despite this Registry's notice dated 16<sup>th</sup> December, 2015 as time to file statement of case has already been expired. As per amended Supreme Court Rules, 2013 appeal is ready for hearing.

The Office Report is listed before the Ld. Registrar Court for orders.  
Dated this the 9<sup>th</sup> day of May, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate  
Central Agency Section.
2. Mr. M.P. Devanath, Advocate  
5, Jangpura Extn., Link Road,  
New Delhi-110014.

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ASSISTANT REGISTRAR