

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). 10284/2020

(Arising out of impugned final judgment and order dated 18-04-2019 in CA No. 53530/2018 18-04-2019 in CA No. 53537/2018 18-04-2019 in CA No. 53538/2018 passed by the Custom Excise Service Tax Appellate Tribunal)

COMMISSIONER OF CUSTOMS (GENERAL) NEW DELHI
VERSUS

Petitioner(s)

AIR INDIA LIMITED

Respondent(s)

(IA No.90566/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.90565/2020-STAY APPLICATION and IA No.90564/2020-CONDONATION OF DELAY IN FILING APPEAL)

Date : 15-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE HRISHIKESH ROYFor Petitioner(s) Mr. Aman Lekhi, ASG,
Mr. A.K.Panda, Sr. Adv.
Mr. Rupesh Kumar, Adv.
Mr. Balbir Singh, Adv.
Mr. Ashok Panigrahi, Adv.
Mr. S.Vinay Ratnakar, Adv.
Mr. Nabab, Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s)

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

In Civil Appeal No.933 of 2019, following order was passed by this Court on 03.01.2019.

"Delay condoned.

List in the first week of February, 2019.

In the meantime, we direct that a committee consisting of Secretary, Revenue; Commissioner of Customs and Chairman-cum-Managing Director, Air India be constituted which shall look into the matter. We are passing this direction as one side the Commissioner of Customs is a party, while on the other side there is a Public Sector Undertaking. This direction has been passed in keeping with the observations and directions issued by this Court in ONGC matter.

The committee is directed to place on record by 31.01.2019 its finding/observations and recommendations as to how the dispute in the preset matter can be sorted out."

The Committee so appointed made certain suggestions in terms of which the Appeal was thereafter disposed of vide Order dated 15.03.2019.

In keeping with the aforementioned orders, we direct that the instant matter shall be placed before the Committee comprising of Secretary (Revenue), Commissioner of Customs and Chairman & Managing Director of M/s Air India Ltd. The Committee may give its opinion as to how the dispute in the matter can be resolved.

List the matter after receipt of the communication from the Committee.

(RAJNI MUKHI)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER