

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) \_\_\_\_\_ OF 2017  
D.NO.20765 OF 2017

COMMISSIONER OF CENTRAL  
EXCISE, NASHIK & PUNE-1 . . . APPELLANT(S)

VERSUS

M/S RAKHOH ENTERPRISES . . . RESPONDENT(S)

ORDER

1. Delay condoned.
2. In deciding the issue of entitlement of the respondent - Assessee to the benefit of exemption under the Notification in question (No.6/2006 dated 1<sup>st</sup> March, 2006) the Tribunal has relied upon the decision of a larger Bench. The said decision of the larger Bench is not under challenge.
3. In the aforesaid circumstances, we do not entertain the present appeal. The appeal is accordingly dismissed.

.....,J.  
(RANJAN GOGOI)

.....,J.  
(NAVIN SINHA)

NEW DELHI  
AUGUST 25, 2017

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSCIVIL APPEAL NO. \_\_\_\_\_/2017  
DIARY NO(S) . 20765/2017

COMMISSIONER OF CENTRAL EXCISE NASHIK AND PUNE I PETITIONER(S)

VERSUS

M/S. RAKHOH ENTERPRISES RESPONDENT(S)  
(IA NO.74205/2017-CONDONATION OF DELAY IN FILING AND IA  
NO.74207/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
AND IA NO.74206/2017-STAY APPLICATION)

Date : 25-08-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE NAVIN SINHAFor Appellant (s) Mr. Tushar Mehta, ASG  
Mr. K. Radhakrishna, Sr. Adv.  
Mr. H.R. Rao, Adv.  
Mrs. Nisha Bagchi, Adv.  
Mr. B. Krishna Prasad, AOR

For Respondent(s)

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

Delay condoned.

Exemption from filing certified copy of the  
impugned order is granted.The appeal is dismissed in terms of the signed  
order.[VINOD LAKHINA]  
AR-cum-PS[ASHA SONI]  
BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]