

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s). 1542/2020

M/S BAJAJ AUTO LTD.

Petitioner(s)

VERSUS

COMMISSIONER, CENTRAL GOODS AND SERVICES TAX
(FOR I.R.)

Respondent(s)

Date : 11-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Shriraj Dhru, Adv.
Mr. Ankur Saigal, Adv.
Mr. Makarand Joshi, Adv.
Mr. Rishabh Parikh, Adv.
Ms. Sayaree Basu Malik, Adv.
Mr. E. C. Agrawala, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Mukul Rohatgi, learned senior counsel appearing for the petitioner.

Learned counsel for the petitioner submits that this Court may transfer the Appeal No. 84/CE/APPL/DDN/2019-20 titled *Commissioner, Central Goods and Service Tax Commissionerate, Dehradun v. M/s Bajaj Auto Ltd. from the Commissioner, Central Goods & Services Tax (Appeals), Dehradun* to this Court to be heard along with M.A. No. 2043-52 of 2020 in Civil Appeal No. 2781-2790 of 2010 titled *Commissioner of Central Excise, Guwahati v. SRD Nutrients Pvt. Ltd.*

He further submits that this Court has already entertained M.A. No. 2043-52 of 2020 in Civil Appeal No. 2781-2790 of 2010 titled *Commissioner of Central Excise, Guwahati v. SRD Nutrients Pvt. Ltd.* where the issue as to whether two Judges' judgment to be recalled or not is to be considered.

We are of the view that M.A. No. 2043-52 of 2020 being pending in this Court, the Commissioner, Central Goods & Services Tax (Appeals), Dehradun in the appeal should await the decision of the M.A.

We see no reason to transfer Appeal No. 84/CE/APPL/DDN/2019-20 to this Court.

The transfer petition is accordingly dismissed.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(RENU KAPOOR)
BRANCH OFFICER