

ITEM NO.12 Court 6 (Video Conferencing) SECTION XVII-A

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).28721/2020

(Arising out of impugned final judgment and order dated 01-11-2018 in EA No. 1110/2007 passed by the Customs Excise Service Tax Appellate Tribunal, West Zonal Bench at Mumbai)

COMMISSIONER OF CENTRAL EXCISE RAIGAD Appellant(s)

VERSUS

M/S ISPAT INDUSTRIES LTD. Respondent(s)

(WITH IA No.8683/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.8680/2021-EX-PARTE STAY and IA No.8678/2021-CONDONATION OF DELAY IN FILING APPEAL)

Date : 15-02-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. N. Venkataraman, ASG
 Ms. B. Sunita Rao, Adv.
 Ms. Preeti Rani, Adv.
 Ms. Swarupama Chaturvedi, Adv.
 Mr. B.V. Balramdas, Adv.
 Mr. B. Krishna Prasad, AOR

For Respondent(s) Mr. Kumar Visalaksh, Adv.
 Ms. Divya Jeswant, Adv.
 Mr. Udit Jain, Adv.
 Mr. Archit Gupta, Adv.
 Mr. Abhishek Vikas, AOR

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

- 1 There is a delay of 724 days in filing the Civil Appeal. In the application for condonation of delay, it has been stated that a copy of the judgment of the Customs, Excise and Service Tax Appellate Tribunal dated 1 November 2018 was received by the appellant on 16 August 2019. Thereafter, the processing of the papers for the filing of the appeal had commenced. The Court must keep in

mind the outbreak of Covid-19 in the month of March 2020 in determining whether the delay should be condoned. Having regard to the explanation which has been set out in the application for condonation of delay, the delay should, in our view, be condoned.

2 Delay condoned.

3 We have heard Mr N Venkataraman, learned Additional Solicitor General appearing on behalf of the appellant and Mr Kumar Visalaksh, learned counsel appearing on caveat.

4 Issue notice.

5 Mr Kumar Visalaksh, learned counsel, accepts notice on behalf of the respondent.

6 Counter affidavit shall be filed within a period of four weeks from today.

7 List the Civil Appeal after six weeks for final disposal on a non-miscellaneous day.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER