

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) . OF 2017

Diary No(s) . 35283/2017

COMMISSIONER OF CENTRAL EXCISE,
CHANDIGARH

...APPELLANT(S)

VERSUS

M/S. VASANTHAM ENTERPRISES

...RESPONDENT(S)

O R D E R

1. Heard the learned counsel for the appellant.

2. Despite the fact that there is inordinate delay of 1022 days in filing the Civil Appeal for which for which no satisfactory explanation has been furnished, we have perused the civil appeal. We find no merit in the present appeal. Admission is refused. The Civil Appeal is accordingly dismissed on the ground of delay as well as on merits.

3. However, it will be open for the revenue to raise all issues with regard to the entitlement of the respondent-assessee before the adjudicating authority in terms of the remand order.

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

.....,J.
(L. NAGESWARA RAO)

NEW DELHI
NOVEMBER 20, 2017

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). 35283/2017

COMMISSIONER OF CENTRAL EXCISE, CHANDIGARH

Appellant(s)

VERSUS

M/S. VASANTHAM ENTERPRISES.

Respondent(s)

(IA No.119502/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.119505/2017-EX-PARTE STAY and IA
No.119500/2017-CONDONATION OF DELAY IN FILING APPEAL)

Date : 20-11-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE L. NAGESWARA RAOFor Appellant(s) Mr. K. Radhakrishnan, Sr. Adv.
Ms. Nisha Bagchi, Adv.
Mr. Rajat Nair, Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RThe appeal is dismissed on the ground of
delay as well as on merits.In view of the above, all pending
application(s) shall stand disposed of.(NEETU KHAJURIA)
COURT MASTER(ASHA SONI)
BRANCH OFFICER

(Signed order is placed on the file.)