

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS.2088-2089 OF 2010

COMMR.OF CEN.EXC.II SURAT

... APPELLANT(S)

VERSUS

M/S.SURESH SYNTHETICS

... RESPONDENT(S)

O R D E R

Appeals admitted.

Delay condoned.

We have heard learned Additional Solicitor General and learned counsel for the respondent.

Learned Additional Solicitor General has drawn our attention to the order passed by this Court in Civil Appeal Nos.4989-4990 of 2001 etc. titled Commissioner of Central Excise, Chandigarh -I Vs. M/s.Euro Cotspins Ltd. decided on 22nd March, 2007. We are inclined to pass the same order. Consequently, we set aside the impugned order passed by the Tribunal and remit the case to the Tribunal for a fresh decision in accordance with law. All contentions are left open to the parties.

The Civil Appeals are allowed and disposed of accordingly.
No costs.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
6TH AUGUST, 2010