

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 6983 OF 2009

COMMISSIONER OF CENTRAL EXCISE .. APPELLANT(S)

VERSUS

M/S. MADRAS CEMENTS LTD. .. RESPONDENT(S)

WITH

**C.A. No. 6238-6239/2009
C.A. No. 6877/2009
C.A. No. 6227/2009
C.A. No. 86/2010
C.A. No. 1901-1905/2011
SLP(C) No. 15416-15417/2011
C.A. No. 6514-6515/2015
C.A. No. 6824/2015
C.A. Nos. 3125-3126/2016
C.A. No. 2603/2016
C.A. D 3674/2017
C.A. Nos. 8974-8975/2017
C.A. No. 10193/2017
C.A. No. 15037-15038/2017
C.A. No. 11205-11206/2017
C.A. No. 16924/2017
C.A. No. 4895-4896/2018
C.A. No. 6176-6177/2018
C.A. No. 7023/2018
C.A. No. 8048/2018
C.A. No. 7448/2018
C.A. No. 9550/2018
C.A. No. 10030/2018
C.A. No. 10847/2018
C.A. No. 10108-10109/2018
C.A. No. 7323-7324/2019**

O R D E R

Delay condoned.

**Having gone through the records of the case, we
are of the considered opinion that the appeals/SLP,
being devoid of any merit, are liable to be**

dismissed and, are dismissed accordingly.

However, we make it clear that where the sale has not been found to be in favour of industrial or institutional consumers, the concession in question shall not be available|.

.....CJI.
[S.A. BOBDE]

.....J.
[SANJIV KHANNA]

.....J.
[SURYA KANT]

NEW DELHI,
NOVEMBER 27, 2019.

ITEM NO.102, 102.1-102.26

COURT NO.1

SECTION XII

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

Civil Appeal No(s). 6983/2009

COMMR.OF CEN.EXC.

Appellant(s)

VERSUS

M/S MADRAS CEMENTS LTD.

Respondent(s)

WITH

C.A. No. 6238-6239/2009 (XII)

C.A. No. 6877/2009 (XII)

C.A. No. 6227/2009 (XII)

C.A. No. 86/2010 (XII)

C.A. No. 1901-1905/2011 (IV-A)

SLP(C) No. 15416-15417/2011 (IV-A)
 (IA No. 90865/2018 - AMENDMENT IN CAUSE TITLE)

C.A. No. 6514-6515/2015 (IV-A)

C.A. No. 6824/2015 (XII-A)

C.A. No. 3125-3126/2016 (IV-A)

C.A. No. 2603/2016 (IV-A)

C.A. D 3674/2017 (XII-A)

C.A. No. 8974-8975/2017 (XVII-A)

C.A. No. 10193/2017 (XVII-A)

C.A. No. 15037-15038/2017 (XVII-A)

C.A. No. 11205-11206/2017 (XVII-A)

C.A. No. 16924/2017 (XVII-A)
 (IA No.100293/2017-CONDONATION OF DELAY IN FILING and IA
 No.100294/2017-STAY APPLICATION)

C.A. No. 4895-4896/2018 (XVII-A)
 (FOR ADMISSION and I.R. and IA No.60584/2018-EXEMPTION FROM

FILING C/C OF THE IMPUGNED JUDGMENT and IA No.60583/2018-EX-PARTE STAY and IA No.60579/2018-CONDONATION OF DELAY IN FILING APPEAL)

**C.A. No. 6176-6177/2018 (XVII-A)
(FOR ADMISSION and IA No.77520/2018-STAY APPLICATION and IA No.77518/2018-CONDONATION OF DELAY IN FILING APPEAL)**

**C.A. No. 7023/2018 (XVII-A)
(IA No.85754/2018-CONDONATION OF DELAY IN FILING and IA No.85757/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

C.A. No. 8048/2018 (XVII-A)

**C.A. No. 7448/2018 (XVII-A)
(IA No. 100570/2018 - EX-PARTE STAY)**

**C.A. No. 9550/2018 (XVII-A)
(FOR ADMISSION and IA No.96478/2018-EX-PARTE STAY and IA No.96477/2018-CONDONATION OF DELAY IN FILING APPEAL)**

**C.A. No. 10030/2018 (XVII-A)
(FOR ADMISSION and IA No.111541/2018-STAY APPLICATION and IA No.111538/2018-CONDONATION OF DELAY IN FILING APPEAL)**

**C.A. No. 10847/2018 (XVII-A)
(IA No.150920/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.150919/2018-STAY APPLICATION and IA No.150917/2018-CONDONATION OF DELAY IN FILING APPEAL and IA No.150918/2018-CONDONATION OF DELAY IN REFILING)**

**C.A. No. 10108-10109/2018 (XII-A)
(FOR ADMISSION and I.R. and IA No.133809/2018-STAY APPLICATION and IA No.133808/2018-CONDONATION OF DELAY IN FILING APPEAL)**

**C.A. No. 7323-7324/2019 (XVII-A)
(FOR ADMISSION and IA No.136945/2019-STAY APPLICATION and IA No.136944/2019-CONDONATION OF DELAY IN FILING APPEAL)**

**Date : 27-11-2019 These appeals/SLP were called on
for hearing today.**

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE SURYA KANT**

**For Appellant(s) Mr. K. Radhakrishnan, Sr. Adv.
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For Respondent(s)

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 Mr. Kartik Jindal, Adv.
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 Ms. Khushboo Aggarwal, Adv.
 Mr. Sorabh Dahiya, Adv.
 Mr. Vibhu Sharma, Adv.
 Mr. Anmol Mehta, Adv.
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Mr. Punit Dutt Tyagi, AOR

Mr. A.P. Dattar, Sr. Adv.
Mr. U.A. Rana, Adv.
Mr. Himanshu Mehta, Adv.
for M/S. Gagrati And Co, AOR

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

Delay condoned.

Application(s) for amendment of cause title
is/are allowed.

No orders on the application(s) for
intervention/impleadment.

The appeals and special leave petition are
dismissed.

Pending applications, if any stands disposed
of.

[CHARANJEET KAUR]
A.R. - CUM - P.S.

[INDU KUMARI POKHRIYAL]
ASSTT. REGISTRAR

[Signed order is placed on the file]