

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.37 of 2007
In
ORDER-IN-APPEAL 279 of 2005

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Commissioner of Customs			Appellant/s
Versus			
M/S Dabur India Ltd.			Respondent/s

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Appearance :
For the Appellant : Ms. Archana Minakshi
For the Respondent : Mr. Tanmay Chakrawarty
Mr. B.S. Pandey
Mr. Prince Kumar

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

29 19-01-2016 It is pointed out by learned counsel for the respondent that the appeal is not maintainable before this Court as it involves exemption notification and thus relates to rate of duty in which case the appeal can only lie before the Supreme Court.

Learned counsel for the appellant-Customs Department, in the said circumstances, seeks return of the Memo of Appeal for re-presentation before the appropriate forum.

Prayer is allowed.

V.P.Sinha/-

(Ramesh Kumar Datta, J)

(Sudhir Singh, J)

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