

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.2.2016

CORAM :

The Honourable Mr.Justice V.RAMASUBRAMANIAN
and
The Honourable Mr.Justice N.KIRUBAKARAN

Civil Miscellaneous Appeal No.27 of 2016

M/s.Rane Brake Lining Ltd.,
Chennai-58.

...Appellant

Vs

The Customs Excise & Service Tax
Appellate Tribunal,
South Zonal Bench,
Chennai-6.

...Respondent

APPEAL under Section 130A of the Customs Act, 1962 against the order dated 1.10.2015 made in Misc.Order No.41224/2015 on the file of the respondent herein and appeal against the order of the Commissioner of Customs (Appeals-II), 60, Rajaji Salai, Custom House, Chennai-1, in Appeal C.Cus-II, No.194/15 dated 27.02.2015 and appeal against the order of the Deputy Commissioner of Customs (SUB), Chennai-1, in order in original No.28543/14 dated 13/08/2014.

For Appellant : Mr.S.Murugappan

For Respondent : Mr.A.P.Srinivas

JUDGMENT WAS DELIVERED BY V.RAMASUBRAMANIAN, J

Mr.A.P.Srinivas, learned Standing Counsel takes notice for the respondent.

2. Though technically no substantial question of law would arise for consideration in an appeal against an order refusing to fix an early date for hearing of an appeal by the Tribunal, we are of the view that considering the duration of the pendency of the appeals before the Tribunal and considering the fact that the issue involved in the appeal will have to be revisited once in three years, it will be better for the Tribunal to take up the appeal at an early date.

3. Therefore, the civil miscellaneous appeal is allowed, the order of the Tribunal is set aside and the Tribunal is directed to fix a date in March/April 2016 and dispose it of in accordance with law. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Customs Excise & Service
Tax Appellate Tribunal,
South Zonal Bench, Chennai-6.

2. The Commissioner of Customs (Appeals-II),
60, Rajaji Salai, Customs House, Chennai.

3. The Deputy Commissioner of Customs(SUB),
60, Rajaji Salai, Customs House, Chennai-1.

+ 1 cc to Mr.S. Murugappan, Advocate SR.7124

+ 1 cc t Mr.A.P. Srinivas, Advocate SR.7978

C.M.A.No.27 of 2016

KJI (CO)
Eu 24.02.16

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