

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.08.2016

CORAM

THE HON'BLE MR. JUSTICE T.MATHIVANAN

C.M.A.NoS.2203 to 2206 of 2003

&

C.M.P.No.13304 to 13307 of 2003

Union of India rep. By the
Director of Enforcement
Enforcement Directorate
6th Floor, Lok Nayak Bhawan
Khan Market
New Delhi-110 003

... Appellant in all CMAs

Vs.

1) M/s.Super Capital Marketeers and Associates
rep. By V.Ganesh Proprietor
No.10, 3rd Street, Gopalapuram
Madras - 600 086

2) V.Ganesh ... Respondents in C.M.A.2203/16

V.Ganesh
Proprietor

M/s.Golden Harvest Trading Corporation
No.10, 3rd Street, Gopalapuram
Madras - 600 086

... Respondent in C.M.A.2204/16

V.Ganesh
Proprietor

M/s.Super Capital Marketeers and Associates
No.10, 3rd Street, Gopalapuram
Madras - 600 086

... Respondent in C.M.A.2205/16

V.Ganesh
Proprietor

M/s.Super Capital Marketeers and Associates
No.10, 3rd Street, Gopalapuram
Madras - 600 086

... Respondent in C.M.A.2206/16

Civil Miscellaneous Appeal filed under Section 54 of the
Foreign Exchange Regulation Act, 1973 r/w.Section 49 of the
Foreign Exchange Management Act to set aside the order dated

28.04.2003 in Appeal No.209 of 2001 passed by the Appellate Tribunal for Foreign Exchange, New Delhi setting aside the order No.SDE/SSB/IV/04 to 07/2001 dated 30.03.2001 of the adjudicating authority in T-4/34-M/95-(SCN-I), T-4/34-M/95-(SCN-IV), T-4/34-M/95-(SCN-III), T-4/34-M/95-(SCN-II) and the order No.SDE/SSB/IV/04 to 07/2001 dated 30.03.2001 passed by the learned Adjudicating Authority.

For Appellant : No Appearance

For Respondents : Batta due

JUDGMENT

When the appeals came up for hearing on 11.08.2016, there was no representation on either side. On perusal of the records it is revealed that notice was not served on the sole respondent and the batta was due. As a last chance, the learned counsel appearing for the appellants is directed to pay batta with petition within three days and also permitted to take private notice to the respondent returnable by 03.02.2011. It is also specifically mentioned that in case of default in paying the batta, the appeals will be dismissed automatically.

2. Despite the specific observation made by this Court as early as on 20.01.2011, till date, the appellant has not chosen to pay batta. Hence, this Court finds that the appeals themselves are deserved to be dismissed for want of process.

Keeping in view of the above fact, these appeals are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//सत्यमेव जयते

gpa

Sub Assistant Registrar

To

The Appellate Tribunal for Foreign Exchange,
New Delhi.

C.M.A.Nos.2203 to 2206 of 2003 &
C.M.P.Nos.13304 to 13307 of 2003

NR(CO)
CA(15/09/2016)