

IN THE HIGH COURT OF ORISSA AT CUTTACK

CEREF No. 1 of 2004

***Commissioner, Central Excise &
Customs, Bhubaneswar-II
Commissionerate***

....

Petitioner

Mr. Choudhury Satyajit Misra
Senior Standing Counsel

-versus-

***M/s. Chariot Cement Company,
Sundargarh***

....

Opposite Party

None

**CORAM:
THE CHIEF JUSTICE
JUSTICE M.S. RAMAN**

**ORDER
31.10.2022**

संक्षिप्त न्यायो

Order No.

02.

1. In the last 18 years, the present reference petition was listed not even once. By the impugned order of the Tribunal, the matter has been remanded to the adjudicating authority for a fresh decision.

2. Learned counsel for the Petitioner is unable to inform the Court whether pursuant to the remand, the proceedings have already concluded, in which case, the present reference would be rendered infructuous. With the matter not having been listed once and with the impugned order not having been stayed, all that the Court can observe at this stage is that the questions of law arising from the

impugned order urged in the present reference petition are left open for decision in some other appropriate case, if any.

3. The reference petition is accordingly disposed of.

(Dr. S. Muralidhar)
Chief Justice

S. Behera

