

(1999) 10 SC CK 0121

In the Supreme Court Of India

Case No : Civil Appeal No. 4955 of 1994

Toyo Engineering India Ltd.

APPELLANT

Vs

Collector of Customs

RESPONDENT

Date of Decision : 27-10-1999

Acts Referred:

Citation : (2001) 10 SCC 461

Hon'ble Judges : V. N. Khare, J;S. P. Bharucha, J

Bench : Division Bench

Final Decision : Partly Allowed

Judgement

S.P.BHARUCHA, J.-The judgments and order under challenge are of the Customs, Excise and Gold (Control) Appellate Tribunal. Four separate judgments were written by the Bench of five learned Members which heard the matter. It is an admitted position that three of these judgments were written after the writer of the fourth judgment had retired. Plainly, the judgments and order cannot stand.

2. The appeal is allowed on this short ground and the matter (A. No. 0/164/89-B2) is restored to the file of the Tribunal to be heard and disposed of afresh, expeditiously, by a Bench to be constituted under the directions of its President.

3. No order as to costs