

SUPREME COURT OF INDIA

Arm Limited

Vs.

Commissioner of Customs, Madras

C.A.No.1080 of 1998

(S. R. Babu and G. P. Mathur JJ.)

10.02.2004

ORDER

1. The grievance made by the appellant in this appeal is that when the matter was posted for hearing on 8-9-1997, the name of the Advocate on record was not shown in the cause list and, therefore, due arrangement could not be made for appearance and in such circumstances the appeal came to be disposed of by the Tribunal. The respondent is not in a position to controvert this position. In the circumstances, we set aside the order made by the Tribunal and remit the matter to the Tribunal for fresh disposal in accordance with law. The appeal is allowed accordingly.