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CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
WEST ZONAL BENCH : AHMEDABAD
O-20, NEW MENTAL HOSPITAL COMPOUND, MEGHANI NAGAR, AHMEDABAD - 380016

Dated: 05/12/2016

File No. :-E/12095/2015

In the matter of :-

Super Chemicals Industries (Appellant)
(Appellant as per address below)

Vs

C.C.E. & S.T.-Vadodara-i (Respondent)
(Respondent as per address below)

I am directed to transmit herewith a certified copy of Order No. : A/11620/2016 dated : 29/11/2016 passed by the Tribunal under section 35-C(1) of the Central Excise and Salt Act, 1944.

Assistant Registrar
CESTAT -AHMEDABAD

S.NO, Case Number, Name & Address of Appellant :-

1 E/12095/2015 Super Chemicals Industries
Plot No. 154, G.i.d.c. Nandesari.
VADODARA
GUJARAT-391340

S.NO, Case Number, Name & Address of Respondent :-

1 E/12095/2015 C.C.E. & S.T.-Vadodara-i
1ST FLOOR, CENTRAL EXCISE BUILDING.
RACE COURSE CIRCLE, VADODARA,
GUJARAT-390007

आयुक्त (ए. आर.) कार्यालय
सीमा शुल्क, उत्पाद शुल्क, सेवा कर,
अपीलीय न्यायाधिकरण, अहमदाबाद.
09 DEC 2016
आवक क्रमांक नं. ....

Copy To :-
1. Chief Commissioner Customs & Central Excise :**Vadodara**
2. Commissioner Customs & Central Excise (Appeal) :**Vadodara-**
3. O/o Commissioner (AR) CESTAT, Ahmedabad
4. CESTAT Bar Association, Ahmedabad
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12. The ICFAI Society
13. Advocate/(s) / Consultant/(s) / Representative:-

Assistant Registrar
CESTAT - AHMEDABAD

SMC-D-14*3

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
West Zonal Bench, Ahmedabad

Appeal No. : **E/12095/2015**

(Arising out of OIA-VAD-EXCUS-001-APP-245-2015-16 dated 02.09.2015, passed by Commissioner (Appeals) Central Excise & Service Tax, Vadodara)

M/s. Super Chemicals Industries : Appellant (s)

VERSUS

Commissioner of Central Excise & S.T., Vadodara : Respondent (s)

Represented by :

For Appellant (s) : None
For Respondent (s) : Ms. Nitina Nagori, Authorised Representative

For approval and signature :

Dr. D.M. Misra, Hon'ble Member (Judicial)

1	Whether Press Reporter may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	No
2	Whether it should be released under Rule 27 of CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	
3	Whether their Lordships wish to see the fair copy of the Order?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

CORAM :

Dr. D.M. Misra, Hon'ble Member (Judicial)

Date of Hearing / Decision : 29.11.2016

ORDER No. A/11620/2016 Dated 29.11.2016

Per : Dr. D.M. Misra;

None present for the appellant. Heard the ld. AR for the Revenue.

2. The appeal is filed against OIA-VAD-EXCUS-001-APP-245-2015-16 dated 02.09.2015, passed by Commissioner (Appeals) Central Excise & Service Tax, Vadodara. The appeal is listed in today's cause list under the category of 'Mention Matters' by the registry. Ld. AR for the Revenue brought to ~~our~~ my notice that the appellant had not placed evidence to show compliance of amended section 35F of the Central Excise Act, 1944 by depositing 10% of the duty confirmed in dispute. She submits that their appeal cannot be entertained, in view of the specific stipulation under Section 35F of the Central Excise Act, 1944.

3. I agree with the contention of the ld. AR for the Revenue. Since the appellant has not complied with the Section 35F of the Central Excise Act, 1944, their appeal is not entertained.

(Dictated and pronounced in the open Court)

Sd/-
01/12/2016

(Dr. D.M. Misra)
Member (Judicial)

..KL

प्रमाणित प्रतिलिपि
CERTIFIED COPY

उप पंजीकार/सहायक पंजीकार
Deputy Registrar/Assistant Registrar
सीमाशुल्क, उत्पादशुल्क और सेवा कर
अपीलीय अधिकरण अहमदाबाद
CUSTOMS EXCISE SERVICE TAX,
APPELLATE TRIBUNAL, AHMEDABAD

- 5 DEC 2016