

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
AHMEDABAD**

REGIONAL BENCH, COURT NO. 3

EXCISE APPEAL NO. 11009 OF 2015

[Arising out of OIO-VAD-EXCUS-001-COM-045-048-14-15 dated 27/03/2015 passed by Commissioner of Central Excise, Customs and Service Tax-VADODARA-I]

DIAMOND POWER INFRASTRUCTURE LTD

AMIT BHATNAGAR

.....Appellant

At Vadadala, Jarod Samlalya Road,
Post Gardhiya, Tehsil Savli,
Vadodara
Gujarat

VERSUS

C.C.E. & S.T.-Daman

.....Respondent

3rd Floor...Adarsh Dham Building, Vapi-Daman Road, Vapi
Opp. Vapi Town Police Station,
Vapi
Gujarat- 396191

WITH

Excise Appeal No. 11010 of 2015

[Arising out of OIO-VAD-EXCUS-001-COM-045-048-14-15 dated 27/03/2015 passed by Commissioner of Central Excise, Customs and Service Tax-VADODARA-I]

AMIT BHATNAGAR

.....Appellant

Managing Dir Of M/s. Diamond Power Infrastructure Ltd,
At Vadadala, Jarod Samlalya Road,
Post Gardhiya, Tehsil Savli,
Vadodara
Gujarat

VERSUS

C.C.E. & S.T.-Vadodara-i

.....Respondent

1st Floor...Central Excise Building,
Race Course Circle,
Vadodara,
Gujarat-390007

Appearance:

Present for the Appellant : None

Present for the Respondent: Shri Anoop Kumar Mudvel, Superintendent (AR)

CORAM:

HON'BLE MR. RAMESH NAIR, MEMBER (JUDICIAL)

HON'BLE MR. C. L. MAHAR, MEMBER (TECHNICAL)

Date of Hearing : **31/01/2024**

FINAL ORDER NO. 10294-10295 /2024

RAMESH NAIR

From the records, it is observed that matter was listed at various dates however, no one appeared and when it came to notice that the Company is under IBC proceeding before NCLT, hearing notice was also sent to the

insolvency professional, despite that no one appeared. Accordingly, the appeals are dismissed for none prosecution.

2. Liberty is granted to both the sides, if they wish to pursue their appeal may approach this tribunal for reviving the appeal in accordance with law.

(RAMESH NAIR)
MEMBER (JUDICIAL)

(C. L. MAHAR)
MEMBER (TECHNICAL)

Dharmi