

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
AHMEDABAD
REGIONAL BENCH, COURT NO. 2**

SERVICE TAX APPEAL NO. 11475 OF 2016

[Arising out of Order-in-Original/Appeal No BHR-EXCUS-000-COM-095-15-16 dated 31.03.2016 passed by Commissioner of Central Excise and Service Tax-Bharuch]

V INDIA

Plot No. 5308,
Gidc, Ankleshwar,
Bharuch, Gujarat

Vs.

**COMMISSIONER OF CENTRAL EXCISE AND
SERVICE TAX-BHARUCH**

Vadodara-II, GST Bhavan, Subhanpura, Vadodara
Vadodara, Gujarat- 390023

Appellant

Respondent

Appearance:

Present for the Appellant : None

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

CORAM:

HON'BLE MR. SOMESH ARORA, MEMBER (JUDICIAL)

FINAL ORDER NO. 13109/2024

Date of Hearing/ Decision : 05.12.2024

SOMESH ARORA

The matter has come up earlier 04.10.2023, 03.11.2023, 01.02.2024, 26.09.2024, 26.11.2024, 05.12.2024 but despite repeated efforts, No one has appeared nor any adjournment request has been made even this time. Persistent non appearance shows that appellant are not serious in pursuing the matter. Therefore, as per the inherent power vested in this Tribunal as noted in 2009 (244) ELT 497 (Bom.) CHEMIPOL Vs. UNION OF INDIA, the present appeal has become liable to be dismissed for non-prosecution. Appeal is accordingly dismissed. However, liberty is being granted to the party to seek restoration of appeal, in case deemed fit by adequately explaining the reason thereof.

2. Appeal is dismissed.

(Dictated & Pronounced in the open court)

**(SOMESH ARORA)
MEMBER (JUDICIAL)**

AD