

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST ZONAL BENCH : AHMEDABAD
REGIONAL BENCH - COURT NO. 3**

SERVICE TAX Appeal No. 10697 of 2017-DB

[[Arising out of Order-in-Original/Appeal No AHM-SVTAX-000-APP-171-16-17 dated 30.11.2016 passed by Commissioner (Appeals) Commissioner of Central Excise, Customs and Service Tax-AHMEDABAD]

Ramesh Brothers

814, 8 Floor, Parekh Tower,
Nr. Diwan Ballubhai School, Kankaria,
AHMEDABAD
GUJARAT

.... Appellant

VERSUS

Commissioner of Service Tax, Ahmedabad

7 th Floor, Central Excise Bhawan, Nr. Polytechnic
CENTRAL EXCISE BHAVAN, AMBAWADI,
AHMEDABAD, GUJARAT -380015

.... Respondent

APPEARANCE :

None for the Applicant

Shri M P Solanki Assistant Commissioner (AR) for the Respondent

**CORAM: HON'BLE MR. C.L. MAHAR, MEMBER (TECHNICAL)
HON'BLE DR. AJAYA KRISHNA VISHVESHA, MEMBER (JUDICIAL)**

DATE OF HEARING/ DECISION: 03.01.2025

FINAL ORDER NO. 10009/2025

PER : C.L. MAHAR :

Matter has come up several times earlier i.e. on 14/06/2024, 31.07.2024, 06.09.2024, 15.10.2024, 25.11.2024 and today, this is 6th time. There is also no request for entertaining appeal on merits either. In these circumstances, for the lack of due diligence on the part of party, this court is inclined to dismiss the appeals for want of prosecution in view of the law laid down by Hon'ble Bombay High Court in the case of Chemipol vs. Union of India reported at 2009 (244) ELT 497 (Bom.). The appeal is dismissed.

2. However, the appellants are at liberty to approach this Tribunal for restoration of appeals explaining the reasons for non-prosecution, if so desired.

(Order dictated and pronounced in the open court)

(C L Mahar)
Member (Technical)

(Dr. Ajaya Krishna Vishvesha)
Member (Judicial)

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