

**Customs, Excise & Service Tax Appellate Tribunal
West Zonal Bench At Ahmedabad**

REGIONAL BENCH- COURT NO.2

Customs Appeal No. 10903 of 2016

(Arising out of Order No. AHD-CUSTM-000-APP-400-15-16 dated 31.03.2016 passed by Commissioner (Appeals)-Ahmedabad)

Bharat Kumar Jain

Gamdi Nithauwa,
Dungarpur-Rajasthan

...Appellant

VERSUS

C.C.- Ahmedabad

Custom House, Near All India Radio
Navrangpura, Ahmadabad-Gujarat-380009

...Respondent

APPEARANCE:

None (Adjournment request) for the Appellant

Shri M.G. Rayka, Additional Commissioner (AR) appeared for the Respondent

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

FINAL ORDER NO. 10011 /2025

DATE OF HEARING: 08.01.2025

DATE OF DECISION:08.01.2025

SOMESH ARORA

Matter has come up six times earlier on 15.10.2024, 29.10.2024. 06.11.2024, 27.11.2024, 04.12.2024, 09.12.2024 and there were appearances twice. Again a request has been received stating that authorized representative of the Company is not available and therefore, matter be adjourned. It appears that the appellant is not interested to pursue the matter seriously, therefore, as per the inherent powers 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 reasons of non-appearance on each occasion.

2. Appeal is dismissed.

(Dictated & Pronounced in the open court)

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