

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

REGIONAL BENCH, COURT NO. 1

EXCISE APPEAL NO. 10821 OF 2013

(Arising out of OIO-12/MP/2012-13 Dated- 28/12/2012 passed by Commissioner of Commissioner (Appeals) Commissioner of Central Excise, CUSTOMS (Adjudication)-SURAT-I)

SHIV SHAKTI INDUSTRIES

Plot No. 450a, Nr. 1st Water Tank, GIDC, Ankleshwar,
Bharuch, Gujarat

Appellant

Vs.

**COMMISSIONER OF CGST & CENTRAL EXCISE-CGST
& CENTRAL EXCISE SURAT**

New Building...Opp. Gandhi Baug, Chowk Bazar,
Surat, Gujarat-395001

Respondent

WITH

- I. EXCISE APPEAL NO. 11389 OF 2013 (Regend Overseas Pvt Ltd)**
- II. EXCISE APPEAL NO. 11446 OF 2013 (Cosmic Textiles)**
- III. EXCISE APPEAL NO. 11447 OF 2013 (H P Bhupendra Kumar & Co)**
- IV. EXCISE APPEAL NO. 11448 OF 2013 (Naresh Rayon)**
- V. EXCISE APPEAL NO. 11795 OF 2013 (Shri Mukesh Ramnivas Gupta)**
- VI. EXCISE APPEAL NO. 11942 OF 2013 (Saheli Synthetics Pvt Ltd)**

(Arising out of OIO-12/MP/2012-13 Dated- 28/12/2012 passed by Commissioner of Commissioner (Appeals) Commissioner of Central Excise, CUSTOMS (Adjudication)-SURAT-I)

Appearance:

None appeared for the Appellant

Shri Anand Kumar, Superintendent (AR) for the Respondent

CORAM:

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

Date of Hearing/Decision : 28.01.2025

FINAL ORDER NO.10060-10066/2025

The matter has come up on board twelve times earlier, this being the thirteenth time. From the record, it is observed that this appeal has come up for hearing on 20.04.2023, 02.06.2023, 14.07.2023, 26.10.2023,

16.11.2023, 30.11.2023, 05.11.2023, 05.03.2024, 08.08.2024, 03.10.2024, 20.11.2024, 10.01.2025, 28.01.2025. Nobody 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)

Dharmi