

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

REGIONAL BENCH- COURT NO. 02

Service Tax Appeal No. 11048 of 2018

[Arising Out Of OIA-VAD-EXCUS-001-APP-780-2017-18 Dated- 04/01/2018 Passed By Commissioner (Appeals) Commissioner of Central Excise, Customs and Service Tax-VADODARA-I)

Devyani Corporation

8, Dhanushya Society No. 1, Opp. Chanakyapuri,
Sama Road, Vadodara, Gujarat

.....Appellant

VERSUS

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

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

.....Respondent

APPEARANCE:

None appeared for the Appellant

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

**CORAM: HON'BLE MR. SOMESH ARORA, MEMBER (JUDICIAL)
HON'BLE MR. SATENDRA VIKRAM SINGH, MEMBER (TECHNICAL)**

Final Order No. 10120 /2025

DATE OF HEARING:12.02.2025
DATE OF DECISION:12.02.2025

SOMESH ARORA

None has appeared nor is there any adjournment request on record. Matter has come up five times earlier on 06.05.2024, 18.06.2024, 17.09.2024, 23.10.2024 and 22.11.2024 and this is the sixth time. It appears that the party is not interested to pursue the appeal. 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 reasons of non-appearance on each occasion.

2. Appeal is dismissed.

(Dictated & Pronounced in the open court)

(SOMESH ARORA)
MEMBER (JUDICIAL)

(SATENDRA VIKRAM SINGH)
MEMBER (TECHNICAL)

Prachi