

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

REGIONAL BENCH, COURT NO. 2

CUSTOMS APPEAL NO. 11100 OF 2017

[Arising out of OIA-KDL-CUSTM-000-APP-028-16-17 dated 10/02/2017 passed by
Commissioner of CUSTOMS-AHMEDABAD-I (Appeal)]

D P LOGISTICS PVT LTD

1st Floor, Green Merchant Association Building,
Plot No.297, Ward 12-b,
Gandhidham, Gujarat

Appellant

Vs.

COMMISSIONER OF CUSTOMS-KANDLA

Custom House, Near Balaji Temple,
Kandla, Gujarat

Respondent

Appearance:

None appeared for the Appellant

Shri P Ganesan, Superintendent (AR) for the Respondent

CORAM:

HON'BLE MR. Dr. AJAYA KRISHNA VISHVESHA, MEMBER (JUDICIAL)

FINAL ORDER NO. 10165/2025

Date of Hearing/Decision : 10.03.2025

None is present on behalf of the appellant. Learned AR is present on behalf of the department. Already adjournment has been sought in the matter nine times including the present date. From the record, it is observed that this appeal has come up for hearing on 17.04.2023, 13.09.2023, 03.11.2023, 23.11.2023, 21.12.2023, 03.12.2024, 07.01.2025, 28.01.2025 and 10.03.2025. In these circumstances, the appeal is dismissed in default of the appellant. 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. 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 accordingly dismissed.

(Dictated and pronounced in the open court)

**(Dr. AJAYA KRISHNA VISHVESHA)
MEMBER (JUDICIAL)**