

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

REGIONAL BENCH, COURT NO. 2

EXCISE APPEAL NO. 10089 OF 2017

[Arising out of OIO-SUR-EXCUS-002-COM-058-16-17 dated 15/11/2016 passed by Commissioner of Central Excise, Customs and Service Tax-SURAT-II]

MR VISHAL JAIN

Appellant

C.a. 213, Nadiadwala Market, Poddar Road,
Opp. Railway Station, Malad (Westa)
Mumbai, Maharastra

Vs.

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

Respondent

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

Appearance:

None appeared for the Appellant

Shri Himanshu Nachane, Superintendent (AR) for the Respondent:

CORAM:

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

FINAL ORDER NO. 10675/2025

Date of Hearing / Decision : 28/08/2025

Dr. AJAYA KRISHNA VISHVESHA

None is present for the appellant. Learned Authorised Representative is present for the department. I have been informed that already six times the appeal has been adjournment. From the record, it is observed that this appeal has come up for hearing on 20.08.2024, 22.01.2025, 07.02.2025, 13.03.2025, 03.04.2025, 28.08.2025. It appears that the appellant is not interested in pursuing the case. 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.

2. Therefore, the appeals are dismissed.

(Dictated and pronounced in the open Court)

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