CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
ALLAHABAD

REGIONAL BENCH – COURT NO.I

DEFECT DIARY No.70235/2018
In
Excise Appeal No.70310 of 2019

(Arising out of Order-in-Original No.08/Commissioner/GBN/2017-18 dated 31/10/2017 passed by Commissioner, Central Tax, GST & Central Excise, Noida)

M/s ANG Industries Ltd. **.....Appellant**

VERSUS

Commissioner, Central Excise, Noida **.....Respondent**

WITH

DEFECT DIARY No.70236/2018
In
Excise Appeal No.70311 of 2019

(Arising out of Order-in-Original No.10/Commissioner/GBN/2017-18 dated 31/10/2017 passed by Commissioner, Central Tax, GST & Central Excise, Noida)

M/s ANG Industries Ltd. **.....Appellant**

VERSUS

Commissioner, Central Excise, Noida-II **.....Respondent**

APPEARANCE:

Shri Bipin Garg, Advocate for Appellant
Shri Pawan Kumar Singh, Authorized Representative for Respondent

CORAM :
Hon'ble Mrs. ARCHANA WADHWA, MEMBER (JUDICIAL)
Hon'ble Mr. ANIL G. SHAKKARWAR, MEMBER (TECHNICAL)

DATE OF HEARING : 21 May, 2019
DATE OF DECISION : 21 May, 2019

FINAL ORDER NO. **71053-71054 / 2019**

ARCHANA WADHWA

The Defect Memos were issued to the appellant pointing out that they have not satisfied the conditions of Section 35 F of Central Excise Act requiring the appellant to deposit 7.5% of the confirmed demand against them.

2. It is seen that when the said matter came before the Tribunal on 06 March, 2019, learned advocate Ms. Stuti Saggi appearing for the appellant submitted that the said deposits shall be made by the appellant in case some time is given to them. Accepting the said request of the learned advocate the matters were adjourned to today.

3. It is seen that the said deposit does not stand made by the appellant even after grant of some more time. As such, we hold that both the appeals are not maintainable the same are accordingly dismissed as defective.

(Dictated and Pronounced in open Court)

Sd/-
(Archana Wadhwa)
Member (Judicial)

Sd/-
(Anil G. Shakkarwar)
Member (Technical)

nihal