

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

REGIONAL BENCH – COURT NO.I

Customs Appeal No.59726 of 2013

(Arising out of Order-in-Original No.07/Commissioner/Noida/2013-14 dated 31/05/2013 passed by Commissioner, Customs & Central Excise, Noida)

M/s M.K. Overseas (Pvt.) Ltd.

.....Appellant

(14, Fire Brigade Lane, Cannaught Place,
New Delhi-201001)

VERSUS

Commissioner of Customs,

Central Excise & Service Tax, Noida

.....Respondent

(C-56/42, Renu Tower, Sector-62,
Noida-201307)

WITH

Customs Appeal No.59746 of 2013

(Arising out of Order-in-Original No.07/Commissioner/Noida/2013-14 dated 31/05/2013 passed by Commissioner, Customs & Central Excise, Noida)

Chaudhary Md. Kamil Qureshi

.....Appellant

(14, Fire Brigade Lane, Cannaught Place,
New Delhi-201001)

VERSUS

Commissioner of Customs,

Central Excise & Service Tax, Noida

.....Respondent

(C-56/42, Renu Tower, Sector-62,
Noida-201307)

AND

Customs Appeal No.59747 of 2013

(Arising out of Order-in-Original No.07/Commissioner/Noida/2013-14 dated 31/05/2013 passed by Commissioner, Customs & Central Excise, Noida)

Nadeem Ahmad

.....Appellant

(14, Fire Brigade Lane, Cannaught Place,
New Delhi-201001)

VERSUS

Commissioner of Customs,

Central Excise & Service Tax, Noida

.....Respondent

(C-56/42, Renu Tower, Sector-62,
Noida-201307)

APPEARANCE:

Absent

Shri B.K. Jain, Authorized Representative for Respondent

CORAM :

Hon'ble Mrs. ARCHANA WADHWA, MEMBER (JUDICIAL)

Hon'ble Mr. ANIL G. SHAKKARWAR, MEMBER (TECHNICAL)

FINAL ORDER Nos. 70015-70017/2020

DATE OF HEARING : 03 January, 2020

DATE OF DECISION : 03 January, 2020

ARCHANA WADHWA

On matter being called our attention stand brought to a letter written by the appellant's authorized advocate on record. For better appreciation, we produce the contents of the said letter-:

"Please refer to the above mentioned appeals pertaining to M/s. M.K Overseas Pvt. Ltd., Nadeem Ahmed and Mohd. Kamil Chaudhary. It is submitted that we have been representing the aforesaid parties before CESTAT in abovementioned appeal proceedings. On the last date of hearing on 17.06.2019, we sought an adjournment on behalf of the aforesaid parties and accordingly, the matter was adjourned to 27.08.2019. We communicated the date to the contacting person of aforesaid parties through e-mail and requested for instructions at least prior to a month before the date of hearing. On receiving no response, we again sent e-mail, inter alia, mentioning that in the situation of not having any response by 17th August, 2019 from their end, we would be compelled to withdraw our Vakalatnamas. But again, there is no response. In such circumstances, we have no other option but to withdraw our Vakalatnamas from the above mentioned matters.

In view of above, it is requested to treat our Vakalatnamas as withdrawn from the above mentioned cases."

2. After the withdrawal of the Vakalatnama by the advocate the matter was listed on various dates. But there was no appearance by the appellant. Even today when the matter was called, neither the appellant appeared nor sought adjournment.

3. From the above we are of the view that the appellants are not interested in pursuing the appeals. Accordingly, the same are dismissed for non-prosecution with liberty to the appellants to request for restoration on sufficient cause being shown by them.

(Dictated and Pronounced in open Court)

Sd/-
(Archana Wadhwa)
Member (Judicial)

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

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