

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
38, MG Marg Civil Lines, Old Red Building, Allahabad-211001
Regional Branch, Allahabad

Dated: 10/08/2016

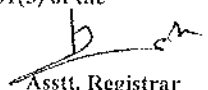
To

Appellant as per address in table below

Respondent as per address in table below

Final Order No. ST/A/70629/2016-CU[DB] dated 28/07/2016

I am directed to transmit herewith a certified copy of order passed by the Tribunal under section 01(5) of the Finance Act, 1994 relating to Service Tax Act, 1994.


 Asstt. Registrar

Application	Appeal	Name and Address of Appellant
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1	ST/Stay/53491/2014 ST/53099/2014	GUPTA BUILDERS 117/18-A, SARVODAYA NAGAR, KANPUR, UP 208005
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Name and Address of Respondent

2	C.C.E. & S.T.-Kanpur 117/7...SARVODYA NAGAR, KANPUR, UTTAR PRADESH- 208005
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Copy To

3 Advocate(s) / Consultant(s): SH SAURABH GARG &
 MANISH AGRARWAL, ADV
 C/O PARTY

4 Additional Party's Name & Address :

5 Bar Association, CESTAT, Allahabad

6 Director Publications, Customs, Excise. I.P. Estate, Delhi

- 7 M/s Centax Publications Pvt. Ltd., 1512-B, Bhisim Pitamah Marg, New Delhi-3
 8 Company Law Institute of India Pvt. Ltd., No.2 (old no.36), Vaithyaram Street, T. Nagar, Chennai-17
 9 Taxmann Allied Service Pvt. Ltd., 59/32, New Rohtak Road, New Delhi-110005
 10 Easy Service Tax Online Dot Com Pvt. Ltd., 407A, Iscon Mall, Satellite Road, Ahmedabad-15
 11 LAWCRUX Advisors Pvt. Ltd., LAW House, I-8, Sector-10, Faridabad 121003 (Haryana)
 12 TaxIndiaOnline.com Pvt. Ltd., 2nd Floor, Vasant Arcade, Vasant Kunj, New Delhi - 110070
 13 Mark Professional Services Pvt. Ltd., 108, Everest Block, Aditya Enclave, Hyderabad - 38
 14 The ICFAI society, 52, Nagarjuna Hill, Punjagutta Hyderabad.-500082
 15 M/S Knowledge Processing Pvt. Ltd.(taxmanagementindia.com), FF-19, 1st Floor, Cross River Mall, CBD Ground, Near Karkardooma Court, Delhi-110032
 16 C.D.R. 17 Office Copy 18 Guard File


 Asstt. Registrar

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
REGIONAL BENCH : ALLAHABAD**

Stay Application No.ST/Stay/53491/2014

AND

Appeal No.ST/53099/2014- CU[DB]

Arising out of Order-in-Original No.61-ST/APPL/KNP/2013 dated 21.11.2013
passed by Commissioner (Appeals) Customs, Central Excise & S. Tax,
Kanpur.

For approval and signature:

HON'BLE MR. ANIL CHOUDHARY, MEMBER (JUDICIAL)
HON'BLE MR. ANIL G. SHAKKARWAR, MEMBER (TECHNICAL)

1. Whether Press Reporters may be allowed to see
the Order for publication as per Rule 27 of the
CESTAT (Procedure) Rules, 1982? : No
2. Whether it should be released under Rule 27 of the
CESTAT (Procedure) Rules, 1982 for publication
in any authoritative report or not? : Yes
3. Whether His Lordship wishes to see the fair copy
of the Order? : Seen
4. Whether Order is to be circulated to the Departmental
Authorities? : Yes

M/s Gupta Builders

...APPELLANT(S)

VERSUS

Commissioner of Central Excise, & S.T. Kanpur

...RESPONDENT (S)

APPEARANCE

Shri Saurabh Garg & Shri Manish Agarwal, Advocates for the Appellant (s)
Shri D.K. Deb Assistant Commissioner (AR) for the Respondent(s)

CORAM:

HON'BLE MR. ANIL CHOUDHARY, MEMBER (JUDICIAL)
HON'BLE MR. ANIL G. SHAKKARWAR, MEMBER (TECHNICAL)

DATE OF HEARING & PRONOUNCEMENT : 28.07.2016

FINAL ORDER NO. - 70629/2016

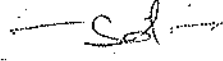


Per Mr. ANIL CHOUDHARY :

Heard the parties on stay. As the appellant has already deposited Rs.12,43,259/- against adjudicated amount of Rs.31,08,147/-, the same is considered sufficient. We allow the appeal by way of remand to the Ld. Commissioner (Appeals), for a decision on merits. Appellant is directed to appear before Ld. Commissioner (Appeals), within 45 days from receipt of this order. Thus, appeal and stay, both disposed of.

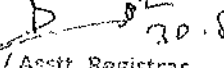
(Dictated & pronounced in the open Court)


(ANIL G. SHAKKARWAR)
MEMBER (TECHNICAL)


(ANIL CHOUDHARY)
MEMBER (JUDICIAL)

Mishra

प्रमाणित प्रति / Certified True Copy


सहायक पंजीकार / Asstt. Registrar
सीमा शुल्क, उत्पाद शुल्क एवं सेवा कर
अपील अधिकरण / (C.E.S.T.A.T.)
38, एम. जी. मार्ग, इलाहाबाद-211001
38, M. G. MARG, ALLAHABAD-211001

