

FAX : 0532-2400149

REGISTERED / AD

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

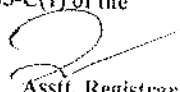
To

Dated: 06/02/2018

Appellant as per address in table below
Respondent as per address in table below

Final Order No. A/70291/2018-EX[DB] dated 16/01/2018

I am directed to transmit herewith a certified copy of order passed by the Tribunal under section 35-C(1) of the Central Excise and Salt Act, 1944.


Asstt. Registrar

Application	Appeal	Name and Address of Appellant
1	E/541/2012	Commissioner of CUSTOMS- Meerut-ii OPPOSITE SHAHEED SMARAK, DELHI ROAD...BHANSALI GROUND, MEERUT, UTTAR PRADESH

Name and Address of Respondent

2
Kesar Enterprises Ltd. (sugar
Division),
Baheri, Bareilly. (U.P),

Copy To

3 Advocate(s) / Consultant(s):

KAPIL VAISH
2nd Floor, Part-a Krishna Janki
Palace, 35-c, Rampur Garden, Civil
Lines, Bareilly, UP

4 Bar Association, CESTAT, Allahabad

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

6 M/s Centax Publications Pvt. Ltd., 1512-B, Bhishm Pitamah Marg, Opp ICICI Bank of Defence Colony New Delhi-3

7 Company Law Institute of India Pvt. Ltd., No.2 (old no.36), Vaidhyaram Street, T. Nagar, Chennai-17

8 Taxmann Allied Service Pvt. Ltd., 59/32, New Rohtak Road, New Delhi-110005

9 LAWCRUX Advisors Pvt. Ltd., LAW House, 1-8, Sector-10, Faridabad 121003 (Haryana)

10 TaxIndiaOnline.com Pvt. Ltd., 2nd Floor, Vasant Arcade, Vasant Kunj, New Delhi - 110070

11 Mark Professional Services Pvt. Ltd., 108, Everest Block, Aditya Enclave, Hyderabad - 38

12 The ICAI society, 52, Nagarjuna Hill, Punjagutta Hyderabad.-500082

13 M/S Knowledge Processing Pvt. Ltd.(taxmanagementindia.com), FF-19, 1st Floor, Cross River Mall, CBD Ground, Near Karkardooma Court, Delhi-110032

14 C.D.R. 15 Office Copy 16 Second Folder Copy 17 Guard File


Asstt. Registrar

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE
TRIBUNAL
REGIONAL BENCH : ALLAHABAD
COURT No. I**

APPEAL No.E/541/2012-EX[DB]

(Arising out of Order-in-Appeal No. 512-CE/MRT-II/2011 dated 25/01/2011 passed by Commissioner of Central Excise & Customs (Appeals), Meerut-II)

Commissioner of Customs & Central Excise, Meerut-II Appellant

Vs.

M/s Kesar Enterprises Ltd.

Respondent

Appearance:

Shri Gyanendra Kr. Tripathi, Asstt. Commissioner (AR)

for Appellant

Shri Kapil Vaish, Chartered Accountant

for Respondent

CORAM:

Hon'ble Mr. Ashok Jindal, Member (Judicial)

Hon'ble Mr. Anil G. Shakkarwar, Member (Technical)

Date of Hearing : 16/01/2018
Date of Decision : 16/01/2018

FINAL ORDER NO. 71291/2018

Per: Anil G. Shakkarwar



The present appeal is filed by revenue against Order-in-Appeal No. 512-CE/MRT-II/2011 dated 25/01/2011 passed by Commissioner of Central Excise & Customs (Appeals), Meerut-II, on the ground that the Final Order No.A/1101/2002-NB dated 07.11.2002 was not accepted by revenue and a reference application was filed before the Hon'ble High Court of Allahabad.

2. Heard the learned A.R. for revenue who has presented the said grounds of appeal.

3. Heard the learned Counsel for the respondent who has submitted that the reference application filed against said Final Order dated 07.11.2002 was decided through ~~Final~~ Order dated 15.07.2015 passed by Hon'ble High Court of Allahabad in Central Excise Reference No.4/2011 and they have dismissed the said reference. Therefore, the ground on which the present appeal is filed, does not sustain.

4. On consideration of grounds of appeal and submissions of learned Counsel for respondent, we do not find any merit in the appeal filed by revenue.

5. Therefore, we dismiss the appeal filed by revenue.

(Dictated in Court)

Sd/-

ASHOK JINDAL

(MEMBER JUDICIAL)

Sd/-

ANIL G. SHAKKARWAR

(MEMBER TECHNICAL)

akp

प्रमाणित प्रति/Certified True Copy

सहायक पंजीकार/Asstt. Registrar

सीमा शुल्क, उत्पाद शुल्क एवं सेवा कर

अपील अधिकरण(C.E.S.T.A.T.)

3B, एन. सी. मार्ग, इलाहाबाद-211001

3B, M. G. MARG, ALLAHABAD-211001

