

IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
SOUTH ZONAL BENCH AT CHENNAI
Court : DB- B1

Appeal No. E/389/2012

(Arising out of Order-in-Original No. 5/Commr/CE/2012 dated 25.04.2012 passed by the Commissioner of Central Excise, Tirunelveli).

M/s. Empee Sugar and Chemicals Ltd. : Appellant

Vs.

CCE & ST, Tirunelveli : Respondent

Appearance

None
for the Appellant

Ms. T. Usha Devi, DC (AR)
for the Respondent

CORAM :

Hon'ble Shri Madhu Mohan Damodhar, Member (Technical)
Hon'ble Shri P. Dinesha, Member (Judicial)

Date of Hearing/Decision: **04.01.2019**

FINAL ORDER No. **40034/2019**

Per Bench

When the matter came up for hearing, the appellant was not present nor was represented by any authorized representative. It is noticed that on the previous dates of hearing viz., 02.05.2018, 18.07.2018 and 27.09.2018, the

matter had to be adjourned with the following notings in the case sheet:-

- 02.05.18 : Adjourned on written request of the appellant as last chance to 18.07.2018. Issue notice.
- 19.07.18 : Written request filed by the appellant seeking adjournment. Adjourned to 27.09.2018. Issue notice. Last chance.
- 27.09.18 : The appellant Counsel has filed written request for adjournment. Adjourned to 04.01.2019.

2. It is taken note that notices dated 23.04.2018, 02.05.2018 to the address for communication given by the appellant in Col-6 of the Form EA-3 (Address to which notices may be sent to the appellant) have returned with postal endorsements "No such person in this address not known" and " addressee left not known returned to sender".

3. In the circumstances, it appears to reason that the appellant is not serious to pursue this appeal and also considering that the three adjournments have already been granted in this case, the appeal is dismissed for non-prosecution.

(Order dictated and pronounced in the open Court)

(P.DINESHA)
MEMBER (JUDICIAL)

(MADHU MOHAN DAMODHAR)
MEMBER (TECHNICAL)

BB