

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
SOUTH ZONAL BENCH, CHENNAI**

E/258/2009 and E/284/2011

(Arising out of Order-in-Original No.2/2009 (Commr.) (Denovo) dated 30.1.2009 passed by the Commissioner of Central Excise, Coimbatore and Order-in-Appeal No. 11/2011 dated 21.2.2011 passed by the Commissioner of Central Excise (Appeals), Coimbatore)

M/s. BAPL Industries Ltd.

Appellants

Vs.

Commissioner of Central Excise, Coimbatore

Respondent

Appearance

Shri M. Karthikeyan, Advocate for the Appellant
Shri S. Govindarajan, AR (AC) for the Respondent

CORAM

Hon'ble Ms. Sulekha Beevi C.S., Member (Judicial)
Hon'ble Shri Madhu Mohan Damodhar, Member (Technical)

Date of Hearing / Decision: **16.08.2017**

Final Order Nos. 41675-41676/2017

Per Bench

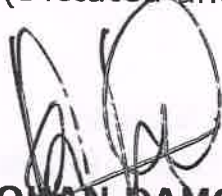
The above cases came up for hearing as per the published list. On perusal of records, it is seen that the Hon'ble High Court of Madras vide order dated 14.12.2011 in WMP No. 2/2011 in W.P. No. 27387/2011 in Appeal No. E/258/2009 has granted interim stay. Both sides have not been able to submit when the matter is likely to be disposed by the Hon'ble High Court. The appeals are of the year 2009 and 2011 and is pending before



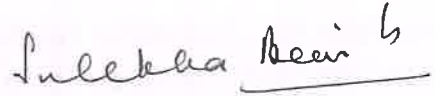
the Tribunal. Ahead of the transition of Indirect Tax to GST, this Tribunal has been given a mandate to dispose of all old cases. Viewed in this light, we are of the considered opinion that it would be appropriate and prudent to close the files for the purpose of statistics. We, however make it clear that the appeals along with stay order / interim orders, if any, will continue before the Tribunal and the matters are closed only for the purpose of statistics. Both sides are at liberty to file application before the Tribunal to reopen the matter as and when the cases are disposed by the Hon'ble High Court or in case of any change of circumstance.

2. In the result, both the appeals are disposed as file closed.

(Dictated and pronounced in open court)



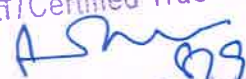
(MADHU MOHAN DAMODHAR)
Member (Technical)



(SULEKHA BEEVI C.S.)
Member (Judicial)

Rex



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