

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL**  
**NEW DELHI**

PRINCIPAL BENCH – COURT NO. – IV

**Customs Appeal No. 53867 of 2018 [SM]**

[Arising out of Order-in-Appeal No. CC(A)CUS/D-I/ACC-Exp/240-241/2018 dated 28.08.2018 passed by the Commissioner of Customs, New Delhi].

**Mr. Paramdeep Singh Kohli**

Ex-Partner, M/s. Ankh  
C/o. D.S. Chadha Advocate,  
F-109, 11nd Floor, Lajpat Nagar-I,  
New Delhi-110024

**...Appellant**

*VERSUS*

**Commissioner of Customs, New Delhi**

ACE, New Customs House,  
New Delhi.

**...Respondent**

**APPEARANCE:**

None for the Appellant

Mr. Pradeep Gupta, Authorised Representative for the Respondent

**Coram: HON'BLE MRS. RACHNA GUPTA, MEMBER (JUDICIAL)**

**FINAL ORDER No. 51456/2019**

DATE OF HEARING : 23.10.2019

DATE OF DECISION: 23.10.2019

**RACHNA GUPTA:**

None is present for the appellant. Perusal of the record shows that despite more than three adjournments, there is no single appearance on part of the appellant. The above facts are sufficient to hold that the appellant is not interested in pursuing the impugned appeal or at least has been absolutely negligent while pursuing the same. Seen from any of these angles, the appeal is

hereby ordered to be dismissed for want of prosecution on the part of the appellant.

2. I draw my support from the case law of Hon'ble Supreme Court in the case of **Ram Siromani Tripathi & Ors vs. State of U.P. & Ors in Civil Appeal No.9142-9144 of 2010 with Civil Appeal No. 6156 of 2012 dated 07 February, 2019**. It was held therein as:

*"Mr. R.K. Ojha, learned counsel appears on behalf of the counsel for the appellants and submits that the learned counsel for the appellants is not present in the Court today. It is stated that he is out of station. This is no ground to seek adjournment. We therefore reject the request for adjournment. We have asked the learned counsel to argue the matter. He submits that he does not know anything about the case.*

*In these circumstances, we dismiss the appeals for non-prosecution.*

*We make it clear that since we have not found it to be a good ground for adjournment, under no circumstances, application for restoration shall be entertained."*

3. In these circumstances, I dismiss the appeal for non-prosecution.

[Dictated and pronounced in the open Court]

**(RACHNA GUPTA)**  
**MEMBER (JUDICIAL)**

Anita