

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
PRINCIPAL BENCH, WEST BLOCK NO.2, R.K.PURAM, NEW DELHI-110066
CUSTOMS APPEAL BRANCH**

Dated: 08/09/2016

To

Appellant as per address in table below

Respondent as per address in table below

Final Order No. AD/A/53370/2016-CU[DB] dated 01/09/2016

I am directed to transmit herewith a certified copy of order passed by the Tribunal under section 9C of the Customs Tariff Act, 1975.


Deputy/Asstt. Registrar (CUSTOMS Appeal Branch)

Application	Appeal	Name and Address of Appellant
1 AD/Stay/3830/2012	AD/3030/2012	Tata Chemicals Magadi Limited Republic Of Kenya Post Office Box No 1-00205 MAGADI-KENYA

**Name and Address of
Respondent**

2

-DESIGNATED AUTHORITY
DIRECTORATE GENERAL OF ANTI-DUMPING AND ALLIED DUTIES,
1. MINISTRY OF COMMERCE AND INDUSTRIES. GOVERNMENT OF INDIA UDYOG BHAWAN, NEW DELHI 110001 2. UNION OF INDIA MINISTRY OF FINANCE SECRETARY - REVENUE GOVERNMENT OF INDIA NORTH BLOCK, NEW DELHI

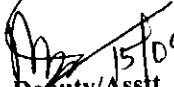
Copy To**3 Advocate(s) / Consultant(s):**

Q¹ **Amarchand & Mangaldas & Suresh. A. Shroff & Co, Adv**
216, OKHLA INDUSTRIAL ESTATE,
PHASE III-NEW DELHI,

Rajesh Sharma (Advocate)
 TPM CONSULTANTS,
 K-3/A, SAKET
 New DELHI - 110017

4 Additional Party's Name & Address :**5 Bar Association, CESTAT, Delhi****6 Director Publications, Customs, Excise. I.P. Estate, Delhi****7 M/s Centax Publications Pvt. Ltd., 1512-B, Bhishm Pitamah Marg, Opp. ICICI Bank of Defence colony 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, 1-8, Sector-10, Faridabad 121003 (Haryana)
12 TaxIndiaOnline.com Pvt. Ltd., B-XI/8183, 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 MS Knowlegde 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


15/09/16
Deputy/Asstt. Registrar(CUSTOMS Appeal Branch)

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
West Block No. 2, R.K. Puram, New Delhi – 110 066.
Principal Bench, New Delhi**

COURT NO. I

DATE OF HEARING : 01/09/2016.
DATE OF DECISION : 01/09/2016.

**Anti Dumping Stay Application No. 3830 of 2012 in Appeal
No. 3030 of 2012**

[Arising out of the Notification No. 34/2012-Customs (ADD) dated 03/07/2012 issued by the Ministry of Finance. Final Finding of the Designated Authority No. 14/17/2010-DGAD dated 17/02/2012.]

M/s Tata Chemicals Magadi Limited

Appellant

Versus

Designated Authority Directorate General]
of Anti-Dumping and Allied Duties]

Respondent

Appearance

None – for the appellant.

S/Shri Amit Singh, Advocate for DA and R.K. Manjhi, Authorized Representative (DR) – for the Respondent.

For I.P. :

S/Shri Rajesh Sharma, Jitendra Singh, Ms. Rita Jha, Advocates.

CORAM : Hon'ble Shri Justice Dr. Satish Chandra, President
Hon'ble Mrs. Archana Wadhwa, Member (Judicial)
Hon'ble Shri B. Ravichandran, Member (Technical)

Final Order No. 53370/2016 Dated : 01/09/2016

Per. Justice (Dr.) Satish Chandra :-

The appeal is against final finding dated 17/02/2012 of the Designated Authority, Ministry of Commerce & Industries recommending residual duty on Vittrified Tiles from China PR.



2. The appeal was listed for hearing today. When originally, called as well as on revision of list, no one was present to pursue the appeal before us. We find that due notice has been sent on 01/08/2016 itself to the appellant and their counsel. The appellant has not shown diligent interest in pursuing the appeal.

3. Accordingly, following the maxim VIA ILATIBUS ET NON DORMIENTIBUS JURA SUB VENIUNT, law helps those who are vigilant and not those who go to sleep, the appeal will be liable to be dismissed on account of default by the appellant.

4. In view of the above, the appeal is dismissed for want of prosecution.

(Order dictated and pronounced in the open court.)


(Justice Dr. Satish Chandra)
President


(Archana Wadhwa)
Member (Judicial)


(B. Ravichandran)
Member (Technical)

PK