

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

Dated: 15/09/2014

To

Appellant as per address in table below

Respondent as per address in table below

Final Order No. C/A/53511-53512/2014-CU[DB] dated 01/09/2014

I am directed to transmit herewith a certified copy of order passed by the Tribunal under section 129-A(4) of the Customs Act, 1962.


Asstt. Registrar(CUSTOMS Appeal Branch)

Application	Appeal	Name and Address of Appellant
1	C/59071/2013	D S NARAYANA AND CO PVT LTD C-703-60, MAYURDHWAJ APARTMENT,I.P.EXTENSION, PATPARGANJ,DELHI 110092
2	C/59072/2013	ANIL MAGGO MANAGER C/O.M/S D.S. NARAYANA & CO.PVT LTD C-703-60, MAYURDHWAJ APARTMENT, I.P.EXTENSION, PATPARGANJ,DELHI 110092
3		Name and Address of Respondent Commissioner of CUSTOMS- New Delhi(icd Tkd) INLAND CONTAINER DEPORT, TUGLAKABAD...ICD, NEW DELHI,

Other Appellants and Respondents as per Annexure

Copy To

4 Advocate(s) / Consultant(s):

Piyush Kumar, Adv
B-25, Lajpat Nagar - III,
New Delhi

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, 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., 2nd Floor, Vasant Arcade, Vasant Kunj, New Delhi - 110070

13 Mark Professional Services Pvt. Ltd., 108, Everest Block, Aditya Enclave, Hyderabad – 38

14 C.D.R. 15 Office Copy 16 Guard File


Asstt. Registrar(CUSTOMS Appeal Branch)

**IN THE CUSTOMS, EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, COURT NO. III**

Customs Appeal Nos. 59071-59072 of 2013-Cus[DB]

[Arising out of Order-In-Original No. 17/2012 dated 11.06.12 passed by
Commissioner of Customs, New Delhi]

For approval and signature:

Hon'ble Ms. Archana Wadhwa, Member (Judicial)

Hon'ble Mr. Rakesh Kumar, Member (Technical)

1	Whether Press Reporters may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	No
2	Whether it should be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	No
3	Whether Their Lordships wish to see the fair copy of the Order?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

M/s. D S Narayana And Co Pvt. Ltd.,
Shri Anil Maggo, Manager
Vs.

Appellants

Commissioner of Customs,
New Delhi

Respondent

Appearance:

Ms. Reena Rawat, Advocate, for the Appellants

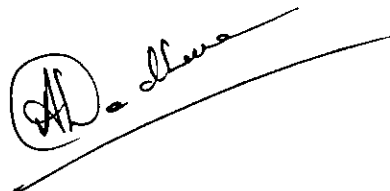
Shri Sanjay Jain, AR for the Respondent

CORAM:

Hon'ble Ms. Archana Wadhwa, Member (Judicial)

Hon'ble Mr. Rakesh Kumar, Member (Technical)

Date of Hearing/decision 01.09.2014



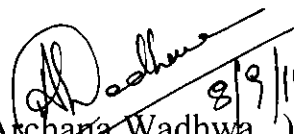
ORDER NO. FO/ 53511-53512/2013-Cus(Br)

Per Archana Wadhwa (for the Bench):

Vide Stay Order No. 51666-51667/14 dated 8.5.2014, the appellants were directed to deposit an amount of RS. 5 Lakhs and Rs.3 lakhs as a condition of hearing of their appeal. The said order was challenged before the Delhi High Court, who converted the terms of deposit in three equal monthly installments. The first installment has to be paid on or before 14.8.2014.

2. On matter being called for ascertaining compliance with the above order, learned advocate appearing for the appellant submits that no deposit stand made by the applicant. Accordingly we dismiss the appeals for non-compliance with the provisions of Section 129 E of Customs Act, 1962 read with stay order and order of Hon'ble Delhi High Court.

(Dictated and pronounced and in the open court)


(Archana Wadhwa)
Member(Judicial)


(Rakesh Kumar)
Member(Technical)