

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

Appeal No. E/2408/2007

Date 06/11/2007

Assistant Registrar  
C.E.S.T.A.T, New Delhi

To :  
M/S I.B.P.CO. LIMITED, GOPALPUR  
POST OFFICE-JAMNIPALI, PIN-495450, DISTT-KORBA  
(CG)

M/S I.B.P.CO. LIMITED, GOPALPUR

Appellant

C.C.E. RAIPUR

Vs

Respondent

STAY ORDER NO. 1036/07-EX.

I am directed to transmit herewith a certified copy of Final order No. 537/07-EX. dated 18-10-07  
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

  
Assistant Registrar  
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. RAIPUR

CENTRAL EXCISE BUILDING, DHAMTARI ROAD,  
TIKRAPARA, RAIPUR 492001.

2. Adv. / Consult

SH. K. K. ANAND, ADV.,  
A-5, BASEMENT,  
LAXPATNAGAR - III

3. S.D.R.

N. DELHI - 24

4. J.C.D.R.

Bar association, CESTAT, New Delhi

6. M/s. Deeparchi Publications, M-93, marg. 43, saket, New

7. M/s Centax Publications (P) Ltd., 1512-E, Bhishm Pitamah

8. Excise & Customs cases, B-37, Sector -1, NOIDA - 201301

9. R. Venkatraman Constt. 44-B, S.Suncity, Ghaziabad -

10. Nidheshak publications, I.P.Estate, new Delhi


11. Taxmann Allied Service Pvt Ltd., 21/35, West Punjabi Bagh,

12. Co, Law Institution

13. TAX INDIA, B-XI/8183, Vasant Kunj, New Delhi - 110070

14. Office Copy

15. Guard file

  
Assistant Registrar  
(Excise Appeal Branch)

**IN THE CUSTOMS, EXCISE & SERVICE TAX  
APPELLATE TRIBUNAL  
West Block No.2, R.K. Puram, New Delhi-110066.  
Principal Bench, New Delhi**

**COURT NO. II**

**Excise Stay Application No. 2059 of 07 in Appeal No. 2408  
of 2007**

[Arising out of the Order-in-Appeal No. 73/RPR-I/2007  
dated 23.03.2007 passed by The Commissioner (Appeals)-I,  
Central Excise & Customs, Raipur.]

M/s I.B.P. Co. Limited

Appellant

Versus

CCE, Raipur

Respondent

**Appearance**

Shri K.K. Anand, Advocate - for the appellant.

Shri C.S. Rajput, Authorized Representative (DR) - for the  
respondent.

**CORAM: Hon'ble Mr. S.S. Kang, Vice President  
Hon'ble Mr. P. Karthikeyan, Member (T)**

**DATE OF HEARING : 18/10/2007.**

Final Order No. 537/2007EX Dated: 18-10-07  
STAY order No 1036/2007EX

**Per. S.S. Kang :-**

The applicant is a Public Sector Undertaking and governed by the orders passed by the Hon'ble Supreme Court in the case of **ONGC vs. CCE, Calcutta** reported in **1992 (61) E.L.T. 3**. The requisite permission to pursue the appeal has not been filed by the applicant. Therefore, the appeal is dismissed. However, the appellant shall have liberty to apply for restoration of the appeal on production of necessary clearance from the COD.

(Dictated and pronounced in the open court)

**(S.S. Kang)**  
**Vice President**

**(P. Karthikeyan)**  
**Member (Technical)**

PK