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

EXCISE APPEAL BRANCH

Appeal No. E/742,743&870 /2006

Date 25/01/2008

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

To :  
M/S HINDUSTAN PETROLEUM CORPORATION LTD.

MEERUT DEPOT, VEDVYAS PURI,  
VILL. POOTA PARTAPUR INDUSTRIAL EXTATE  
MEERUT-250103 (UP)  
M/S HINDUSTAN PETROLEUM CORPORATION LTD.

2. M/S. HINDUSTAN PETROLEUM CORP.  
LTD., BAREILLY DEPOT  
NEKPUR, BAREILLY-243001 (UP)

C.C.E. MEERUT I

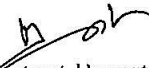
Appellant

Vs

Respondent

I am directed to transmit herewith a certified copy of Final order No. 25/27/2008- Excise dated 18-1-08  
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

STAY ORDER NO. 68-70/08-EX.

  
Assistant Registrar  
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. MEERUT I

EXCISE CHOWK, UNIVERSITY ROAD, MANGAL  
PANDEY NAGAR, MEERUT - 250005.

2. Adv. / Consult SH. RAVI RAGHVAN, ADV.,

B-6/10, S. J. ENCLAVE,  
N. DELHI-29

3. S.D.R.

4. J.C.D.R.

5. 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)

1 M/S. HINDUSTAN PETROLEUM CORP. LTD.

PANIPAT DEPOT, VILL. BAHOLI

PANIPAT-132114 (HARYANA)

IN THE CUSTOMS, EXCISE & SERVICE TAX  
APPELLATE TRIBUNAL, NEW DELHI  
PRINCIPAL BENCH, NEW DELHI  
COURT NO. II

**Excise Stay Application No. 641, 643 and 711 of 2006 &  
Excise Appeal No. 742, 743 & 870 of 2006**

(Arising out of Order-in-Original No. 52-55/Commr/MRT-I/2005 dated 30.11.2005 35/COMM/M-II/2005 dated 19.12.2005, 32/Commissioner/RP/2005 dated 28.11.2005 passed by the Commissioner of Central Excise, Delhi-I)

For approval and signature

HON'BLE MR. S.S. KANG, VICE PRESIDENT  
HON'BLE MR. T.K. JAYARAMAN, 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?	/
2.	Whether it would be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	
3.	Whether their Lordships wish to see the fair copy of the order?	
4.	Whether order is to be circulated to the Departmental authorities.	

Hindustan Petroleum Corporation Ltd.

Appellant

Vs.

CCE, Meerut

Respondent

Appearance:

Shri Ravi Raghvan, Advocate  
Shri V.K. Agrawal, DR

- For appellant  
- For respondent

CORAM:

HON'BLE MR. S.S. KANG, VICE PRESIDENT  
HON'BLE MR. T.K. JAYARAMAN, MEMBER (TECHNICAL)

Date of Hearing: 18.1.08

Final Order No. 25 - 27 / 2008 EX dated 18-1-2008  
STAY ORDER NO 68 - 70 / 2008 EX  
Per S.S. Kang :

Heard both sides.

2. After hearing both sides, we find now the Notification under Section 11C of Central Excise Act has been amended, therefore, the appeals are being taken up for hearing.

3. Common issue is involved in these appeals, therefore, are being taken up together. The demand is for the period from 1.7.04 to 3.8.04 on the mixing of ethanol with motor spirit. Now, a Notification No. 25/06 dated 20.11.06 was issued under Section 11C of Central Excise Act declaring that assessee shall not be required to pay any duty in respect of 5% ethanol blended petrol. In view of the above notification, the impugned order is set aside and appeals are allowed.

(Dictated & pronounced in open Court)

(S.S. KANG)  
VICE PRESIDENT

(T.K. JAYARAMAN)  
MEMBER (TECHNICAL)

RM