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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/3095/2007 WITH E/S/2778/07

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

Date 08/02/2008

To :
M/S INDIAN OIL CORPORATION LTD
SANGRUR TERMINAL, SANGRUR(PB)

M/S INDIAN OIL CORPORATION LTD

C.C.E. LUDHIANA

Appellant

Vs

Respondent

dated 04-2-08

I am directed to transmit herewith a certified copy of Final order No. 42/08 Excise
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

STAY ORDER No. 105/08-EX.

Excise

Copy to :

1. Respondent

C.C.E. LUDHIANA

CENTRAL EXCISE HOUSE, 'F' BLOCK, RISHI NAGAR,
LUDHIANA 141001 (PUNJAB)

2. Adv. / Consult

MR.L.P. ASTHANA & MS REENA KHAIR

R-163, SECOND FLOOR, GREATER KAILASH-1, NEW DELHI - 110 048.

3. C.D.R.

~~ICDR.~~

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,

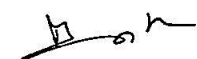
12. Co, Law Institution

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

14. Office Copy

15. Guard file


Assistant Registrar
(Excise Appeal Branch)


Assistant Registrar
(Excise 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. II

**Excise Stay Application No. 2778 of 2007 in Appeal No.
3095 of 2007**

[Arising out of the Order-in-Appeal No. 140-CE/APPL/LDH/
2007 dated 28/06/2007 passed by The Commissioner of
Central Excise (Appeals), Chandigarh.]

M/s Indian Oil Corporation Ltd.

Appellant

Versus

CCE, Ludhiana

Respondent

Appearance

Ms. Reena Khair, Advocate – for the appellant.

Shri A. N. Sharma, Authorized Representative (SDR) – for
the Respondent.

**CORAM : Hon'ble Shri S.S. Kang, Vice President
Hon'ble Shri P. Karthikeyan, Member (Technical)**

DATE OF HEARING : 04/02/2008.

Final Order No. 42/08-EX Dated : 4-2-08
Stay order No. 105/08-EX

Per. S.S. Kang :-

The applicant is 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. Though, the appeal was filed in 2007. In these circumstances, 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 open court)

(S.S. Kang)
Vice President

(P. Karthikeyan)
Member (Technical)

PK