

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

Appeal No. E/1800/2007-1802/2007,1829/2007

Date 25/02/2008

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

To: 1. SH. D.K. MISHRA
2. SH. B.K. SHARMA,
1. M/S.R.K. CIGARETTE PVT. LTD.
206, GANESHPUR, SHIVPUR, VARANASI, U.P.

3. SH. R.K. GUPTA,
R/O H-5, MAHARANAI BAGH,
N. DELHI-65

D.K. MISHRA, M/S R.K. CIGARETTES PVT. LTD.

Appellant

C.C.E ALLAHABAD

Vs

Respondent

I am directed to transmit herewith a certified copy of Final order No. 64-67/08 Excise dated 8-2-08
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 ALLAHABAD

38, M.G. MARG, CIVIL LINES, ALLAHABAD

2. Adv. / Consult

MR. BIPIN GARG

B-1/1289, A-VASANT KUNJ, NEW DELHI

3. S.D.R.

~~4. I.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, L.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 AND SERVICE TAX APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
COURT NO. II

Excise Appeal Nos. 1800-1802 & 1829 of 2007

[Arising out of Order-in-Appeal No. 35-39/CE/ALLD/ 2007 dated 20.7.2007 passed by Commissioner of Central Excise(Appeals), Allahabad]

For approval and signature:

Hon'ble Mr. S.S. Kang, Vice President

Hon'ble Mr. P.Karthikeyan , Member (Technical)

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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 should 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?
-

M/s. R.K. Cigarette Pvt. Ltd.

Appellant

Vs.

Commissioner of Central Excise
Allahabad

Respondent

Appearance: None for the Appellant

Shri Sanjay Kumar, JDR for the Respondent

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

Date of decision : 8.2.2008

Final ORDER NO. 64 - 67/08-EX

Per S.S. Kang (for the Bench):

When the case was called, none appeared on behalf of the appellant. The Tribunal vide Stay order dated 15.10.07 had directed the appellant to deposit an amount of Rs.3,50,000/- (Rupees Three lakhs and fifty thousands) only for the purpose of hearing the appeal. The appellant had not complied with the conditions of the Stay order. Therefore, the appeals are dismissed for non-compliance to the provisions of Section 35 F of the Central Excise Act.

(Dictated in the open Court)

(S.S. Kang)
Vice President

(P.Karthikeyan)
Member(Technical)

SS