

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

Appeal No. E/2601/2007

Date 19/06/2008

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

To :
M/S MITHILESH & COMPANY
304/3, SHYAM VATIKA CHOUBEY COLONY, RAIPUR.

M/S MITHILESH & COMPANY

C.C.E. RAIPUR

Appellant

Vs

Respondent

Excise dated 11-6-08

I am directed to transmit herewith a certified copy of Final order No.349/08
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

H. S. H.
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. SHARMA, ADV.,*

A-5, BASEMENT,

LAJPAT NAGAR-III

N. DELHI-24

3. S.D.R.

~~4. I.C.D.R.~~

5. Bar association, CESTAT, New Delhi

6. M/s. Deeparchi Publications, M-93, Marg. 46, Saket, New Delhi 110017

7. M/s Centax Publications (P) Ltd., 1512-B, Bhishm Pitamah marg, Opp. ICICI Bank of Defence Colony, New Delhi -

8. Excise & Customs cases, B-37, Sector -1, NOIDA - 201301 Gautam Budh Nagar, (U.P.)

9. Raghuraman's 44-B, Regal Flat, Shipra Suncity, Indirapuram - 201010, Ghaziabad, DT, U.P.

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

11. Taxmann Allied Service Pvt Ltd., 21/35, West Punjabi Bagh, New Delhi - 110026

12. Commercial Laws of India Pvt Ltd Post Bag No. 1033, No.70(Old No. 88), Thyagaraya Road, T. Nagar, Chennai 60017

13. Taxindiaonline.com Pvt.Ltd, B-XI/8183, Vasant Kunj, New Delhi - 110070

14. Office Copy

15. Guard file

H. S. H.
Assistant Registrar
(Excise Appeal Branch)

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

Excise Appeal Nos. 2601 of 2007

[Arising out of Order-in-Appeal No. 122/RPR-I/2007 dated 25.5.2007
passed by Commissioner (Appeals I) Central Excise & Customs, Raipur]

For approval and signature:

Hon'ble Mr. M. Veeraiyan, Member (Technical)

Hon'ble Mr. P.K. Das, Member (Judicial)

-
- | | |
|--|------|
| 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. Mithlesh & Company

Appellant

Vs.

Commissioner of Central Excise
Raipur

Respondent

Appearance: Mr. K.K.Sharma, Advocate for the Appellant
Mr. S. Kumar, DR for the Respondent

CORAM: Hon'ble Mr. M. Veeraiyan, Member (Technical)
Hon'ble Mr. P.K.Das, Member (Judicial)

Date of decision : 11.6.2008

Final ORDER NO. 349 / 08 *ED*

Per M. Veeraiyan (for the Bench):

Vide stay order No. 172/08-Ex dated 25.1.08, the appellant was directed to deposit a sum of Rs. 5 lakhs and to report compliance on 30.4.08. They filed Miscellaneous application for modification of the terms of the stay order, which was rejected on 15.5.08. However, time was granted for pre-deposit of the amount and compliance was to be reported on 11.6.08.

2. Learned advocate submits that they could not comply with the order inspite of further time being given. In view of the above, the appeal is dismissed for non-compliance ~~of~~ terms of stay order under section 35F of the Central Excise Act.

(Dictated in the open Court)

(M. Veeraiyan
Member(Technical)

(P.K.Das)
Member(Judicial)