

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

Appeal No. E/4756/2004

Date 23/07/2008

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

To
C.C.E. NOIDA

B-123, SECTOR-5, NOIDA

C.C.E. NOIDA

M/S ADDI COTTON MILLS

Appellant

Vs

Respondent

Excise dated 18-7-08

I am directed to transmit herewith a certified copy of **Final order** No. 501/2008-
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar

(Excise Appeal Branch)

Copy to :

1. Respondent

M/S ADDI COTTON MILLS

A-34, INDUSTRIAL AREA, SIKANDRABAD, DISTT. BULANDSHAHAR (U.P.)

2. Adv. Consult

SH. MANOJ ARORA, ADV.,
A-136, DEFENCE COLONY,
N. DELHI-24

3. C.D.R.
~~ICDR~~

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

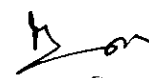
11. Taxmann Allied Service Pvt Ltd., 21/35, West Punjabi Bagh, New Delhi - 110026

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


Assistant Registrar
(Excise Appeal Branch)

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

Court No.III

Date of hearing: 14.7.2008

Central Excise Appeal No.4756 of 2004

Arising out of the order in appeal No.189/CE/APPL/Noida/04 dated 28.6.04
passed by the Commissioner (Appeals), Custom & C. Excise, NOIDA.

For Approval and Signature:

Hon'ble Mrs. Archana Wadhwa, Member (Judicial)

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

1	Whether Press Reporter 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 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

Appellant

Respondents

C.C.E., NOIDA

vs.

M/s Addi Cotton Mills

Appearance:

Shri S. Kumar, Authorized Departmental Representative (DR) for the
Revenue and none for the respondent(s)

Coram: Hon'ble Mrs. Archana Wadhwa, Member (Judicial)
Hon'ble Mr. M. Veeraiyan, Member (Technical)

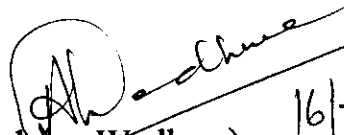


Final Order No. 50.1/08-EX

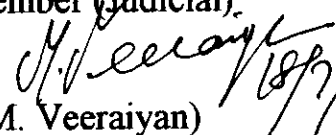
Per Archana Wadhwa:

Inasmuch as the amount involved in the present appeal of the Revenue is only to the extent of Rs.8,445.31, which stands decided in favour of the respondent by following the Supreme Court decision in the case of Associated Cement Co. vs. C.C.E. – 2003 (151) ELT 12 (SC). We do not find any reason to admit the Revenue's appeal. Accordingly, the same is dismissed in terms of the proviso (ii) of Section 35B (1) of the Central Excise Act, 1944.

(The operative part of the order was pronounced in the open Court)


(Archana Wadhwa)
Member (Judicial)

16/7/08


(M. Veeraiyan)
Member (Technical)

18/7/08

scd/