

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

Appeal No. E 5038 2004

Date 16/07/2008

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

To
M/S MANISH INDL. CO.

BHANPURI INDL. AREA, RAIPUR

M/S MANISH INDL. CO.

C.C.E. RAIPUR

Appellant

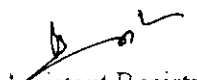
Vs

Respondent

Excise dated 14-7-08

I am directed to transmit herewith a certified copy of Final order No. 458/2008

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. RAIPUR

DHANTARI ROAD, TIKRAPARA

2. Adv. Consult

~~MR. N. SHrivastava~~

~~CIVIL LINES, HANUMAN CHOWK, GONDIA-441601~~

3. C.D.R.

~~1. 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

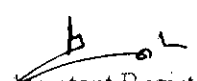
12. Commercial Laws of India Pvt Ltd Post Bag No. 1033, No. 70 (Old No. 88), Thyagaraya Road, T. Nagar, Chennai 60017

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

14. Office Copy

15. Guard file

SH. K.K. ANAND, ADV.,
A-5, BASEMENT,
LAJPAT NAGAR-III
N. DELHI-24


Assistant Registrar
(Excise Appeal Branch)

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

EXCISE APPEAL NOS. 5038 OF 2004

Date of Hearing: 11.7.2008

Date of Decision: 11.7.2008

[Arising out of Order-in-Appeal No.133-134/RPR-1/2004 dated 23.6.2004 passed by the Commissioner of Central Excise & Customs (Appeals), Raipur]

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

Hon'ble Mr. M. Veeraiyan, 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. | : | 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. |

Manish Industrial Co.

Versus

CCE, Raipur

Appellant
[Rep. by: None]

Respondent
[Rep. by: Shri M.M. Singh, DR]

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

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

FINAL ORDER 458/04 - Ex

Per Archana Wadhwa:

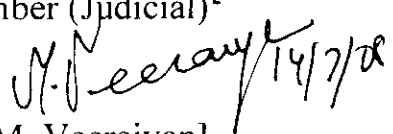
On matter being called neither anybody appeared nor is there any adjournment request.

2. It is seen that the dispute in the present appeal is identical to the dispute in another appeal of the same appellant being Appeal No. E/2636/03-

[Signature]

NB(S). The said Appeal No.E/2636/03-NB(S) stands rejected by the Tribunal vide its Final Order No.1943/05-SM(BR) dated 14.11.2005, by following another order of the Tribunal in the case of **M/s. Shri Sunder Aluminium Udyog** vide its Final Order No.1784/05-SM(BR) dated 30.9.2005. As such, by following the ratio of the above decision we reject the present appeal also.

[Operative part of the order already pronounced in the open Court on 11.7.2008]


[Archana Wadhwa]
Member (Judicial)- 14/7/08

[M. Veeraiyan]
Member (Technical)

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