

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

Appeal No. E/3219/2007 - EX[DB] E/COD/64/08 & E/S/2866/07

Date 18/09/2008

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

To :
M/S ECONOPRINT STENCILS PVT. LTD.
PLOT NO S-2/3, SECTOR-1, PITHAMPUR, DISTT. DHAR
(M.P)
M/S ECONOPRINT STENCILS PVT. LTD.

Appellant

Vs
Respondent

C.C.E. INDORE

M.O.NO.801/08-EX

dated 11-9-08

I am directed to transmit herewith a certified copy of **Final order No. 708/08 & S.O.NO.939/08-EX**

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. INDORE

MANIK BAGH PALACE, POST BOX NO. 10, INDORE 452001 (M.P.)

2. Adv. / Consult

MR.RAMESH NAIR

LAKSHMI VIHAR, AG- 192, SCHEME NO. 54, VIJAYNAGAR, INDORE(MP)

3. S.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. Easy Service Tax Online Dot Com Pvt. Ltd. 407A, Iscon Mall, Above Star India Bazar, Satellite Road, Ahmedabad - 15

15. Office Copy

16. Guard file

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

COURT No. II

**E/COD/64/08 & E/Stay/2866/07 in
Excise appeal No. 3219 of 2007**

M/s. Ecnoprint Stencils Pvt. Ltd., Appellants,
Reptd. by Shri Anant Chause, Advocate

Versus

CCE, Indore Respondent
Reptd. by Shri B.S. Suhag, D.R.

Date of Hearing: 9th September, 2008

Coram: Hon'ble Mr. S.S. Kang, Vice President,
Hon'ble Mr. Rakesh Kumar, Member (Technical)

FINAL ORDER NO. 708/08-EX.

STAY ORDER NO. 939/08-EX. dated _____

MISC ORDER NO. 801/08-EX.

Per S.S. Kang:

Applicants filed this COD application for condoning the delay of more than 9 years. The impugned order was passed on 25.5.98 and the present appeal is filed on 18.3.2008. The contention of the applicants is that the impugned order is not received by them. From the record we find that against the adjudication order the applicants filed appeal before the Commissioner (Appeals) and also before the M.P. High Court and the Hon'ble M.P. High Court directed the Commissioner (Appeals) to decide the stay application and the present applicants were directed to appear before the Commissioner (Appeals) on 18.9.97. None appeared on 18.7.97 and the stay application was decided. The applicants were

directed to deposit the amount in dispute within 3 weeks and this order was dispatched to the address given in appeal memo. As the applicants had not complied with the condition of the stay order the Commissioner (Appeals) dismissed the appeal and this order was also dispatched to the address given in the appeal memo. Learned Counsel admitted before us that the unit is running in the same address given in the appeal memo. In these circumstances we find no ground to condone the delay. COD application is dismissed. Consequently, stay petition and appeal are also dismissed.

(Dictated & pronounced in the Open Court.)

(S.S. KANG)
VICE PRESIDENT

(RAKESH KUMAR)
MEMBER (TECHNICAL)

Dated 11th September, 2008

RK