

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

Appeal No. E/6077/2004 - EX[DB]

Date 07/01/2009

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

To :
M/S THE BASTAR OIL MILLS & INDUSTRIES LTD.
KURANDI ROAD, JAGDALPUR DISTT. BASTAR
M/S THE BASTAR OIL MILLS & INDUSTRIES LTD.

C.C.E. RAIPUR

Appellant

Vs

Respondent

EX[DB] dated 02-1-09

I am directed to transmit herewith a certified copy of Final order No. 17/2009-
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

DHAMTARI ROAD, TIKRAPURA RAIPUR
492001

2. Adv. / Consult *SH. B. S. WHATS, ADV., CPO*
MR. AJAY GUPTA

56 AKASH GANGA COMPLEX, SUPELA BHILAI-490023

3 S.D.R.

~~4 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 - 3

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

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


Assistant Registrar
(Excise Appeal Branch)

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
West Block No. 2, R.K. Puram, New Delhi – 110 066.
Principal Bench, New Delhi**

**COURT NO. I
Excise Appeal No. 6077 of 2004**

[Arising out of the Order-in-Appeal No. 147/RPR-I/2004 dated 01/07/2004 passed by The Commissioner (Appeals), Central Excise & Customs, Raipur.]

For Approval and signature :

Hon'ble Ms. Jyoti Balasunderam, Vice President ✓

Hon'ble Mr. Rakesh Kumar, 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 would 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? : Seen

4. Whether order is to be circulated to the
Department Authorities? : Yes

M/s The Bastar Oil Mills & Industries Ltd.

Appellant

Versus

CCE, Raipur

Respondent

Appearance

Shri B.S. Whats, Advocate – for the appellant.

Shri B.S. Suhag, Authorized Representative (DR) – for the
Respondent.

**CORAM: Hon'ble Ms. Jyoti Balasunderam, Vice President
Hon'ble Sh. Rakesh Kumar, Member (Technical)**

DATE OF HEARING : 01/01/2009.

FINAL Order No. 17/09-ED Dated : _____

Per. Ms. Jyoti Balasunderam :-

In this case the appellants have addressed a letter to the Registry on 3rd October 2008 stating that they had filed the above appeal against the order of the Commissioner (Appeals) in relation to non-fixation of brand name rate of duty, that the department thereafter took up the file and issued order No. C/IV (16) 30-08-2005/CX/Tech./4001 dated 30.06.2008 passed by the Additional Commissioner, Raipur and that as the matter in relation to fixation of brand name of is over, the case may be dropped. This amounts to request for withdrawal of the appeal as the issue does not survive. Permission granted. Appeal is dismissed as withdrawn.

(Dictated and pronounced in open court)

(Ms. Jyoti Balasunderam)
Vice President

(Rakesh Kumar)
Member (Technical)

PK