

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

Appeal No. E/702 /2008-703 /2008 - EX[DB] & E/3220/2007-EX

Date 05/02/2009

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

To :

1. SH. RANBIR TYAGI, DIRECTOR OF
2. M/S HATHAWAY SYSTEMS (INDIA) PVT. LTD.
B-814, PHASE-II,
INDUSTRIAL AREA,
BHIWADI (RAJ.)
- SH. RANBIR TYAGI, DIRECTOR OF

Appellant

Vs

Respondent

C.C.E. JAIPUR I

I am directed to transmit herewith a certified copy of Final order No. 102-104/09- EX[DB] dated 30-1-09
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. JAIPUR I

N.C.R.BUILDING, STATUE CIRCLE, "C" SCHEME, JAIPUR 302005.

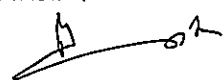
2. Adv. / Consult

SH. ATUL GUPTA, C.S.,
B-1/1289-A, VASANT KUNJ,
N. DELHI-70

- 3 S.D.R

~~4 J.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), Thyagarava 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)

17. SH. JAGMOHAN TYAGI, DIRECTOR OF
M/S HATHAWAY SYSTMS (INDIA) PVT. LTD.
B-814, PHASE-II, INDUSTRIAL AREA,
BHIWADI (RAJ.)

**IN THE CUSTOMS, EXCISE & SERVICE
TAX APPELLATE TRIBUNAL,
WEST BLOCK NO. 2, R.K. PURAM,
NEW DELHI**

COURT – III

**CENTRAL EXCISE APPEAL NO. 702-703
OF 2008 AND 3220 OF 2007**

[Arising out of Order-in-Appeal No. 365-366 (RKS)/CE/JPR-I/2007 dated 28.12.2007 passed by the Commissioner of Central Excise (Appeals), Jaipur]

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?	
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?	
4.	Whether order is to be circulated to the Departmental authorities?	

M/s. Hathway Systems (India) Pvt. Ltd.,
Shri Ranbir Tyagi, Director, &
Shri Jagmohan Tyagi, Director

Appellants

Vs.

CCE, Jaipur

Respondent

Appearance:

Shri Atul Gupta, C.S., for the appellants;
Shri C.S. Rajput, Departmental Representative, for the Revenue,

Coram:

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

Date of hearing/decision: 30th January, 2009

FINAL ORDER NO. 102-104/09 ^{ed} **dated**

Per P.K. DAS:

Vide stay order No. 1128-1130/08 dated 20.10.2008 the applicant M/s. Hathway Systems (India) Pvt. Ltd. was directed to deposit Rs. 25 lakhs and to report compliance and subject to deposit of the said amount, pre-deposit of balance amount of duty and penalty on the applicant company and penalties on the applicant's directors was waived and recovery thereof was stayed.

2. Learned Counsel submits that he has no instructions about the compliance of the stay order. We do not find any compliance report in the file too. In view of that all the appeals are dismissed for non-compliance of Section 35-F of the Central Excise Act.

(Dictated & pronounced in the Open Court.)

^U
(M. VEERAIYAN)
MEMBER (TECHNICAL)

(P.K. DAS)
MEMBER (JUDICIAL)

RK