

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

Appeal No. E/1353/2008-1356/2008 - EX[DB]

Date 25/02/2009

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

To :
M/S BHAGWATI TRADING CO.
SSI PLOT NO. 2, NEHRU GROUND FARIDABAD.
M/S BHAGWATI TRADING CO.

C.C.E. DELHI IV

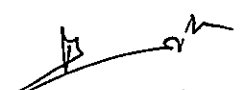
Appellant

Vs

Respondent

EX[DB] dated 16-2-09

I am directed to transmit herewith a certified copy of Final order No. 145-148/2009-
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. DELHI IV

NEW CGO COMPLEX, NH-IV, FARIDABAD, HARYANA 121001.

2. Adv. / Consult

MRS. JAINA & ASSOCIATES

84, DARYA GANJ, NEW DELHI.

2. SH. SUNIL, CO. EMPLOYEE L/E APPELLANT

3 C.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

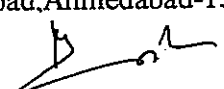
12 Commercial Laws of India Pvt Ltd Post Bag No. 1033, No.70(Old No. 88), Thvagaraya Road, T. Nagar, Chennai

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. M/S. AYUSHI STEEL CO. PVT. LTD.
B-279, NEHRU GROUND, FARIDABAD.

18. M/S VEE AAR STEELS
SHOP NO.1, SSI PLOT NO. 6, NEHRU GROUND FARIDABAD.

19. M/S OM IRON & STEEL
SSI PLOT NO.1, NEHRU GROUND FARIDABAD.

IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
R.K. PURAM, W.B. NO.2, PRINCIPAL BENCH
NEW DELHI, COURT NO.I

Excise Appeal Nos. 1353 – 57 of 2008 –EX (Br.)

Date of Hearing/Decision : 16.02.2009

M/s Bhagwati Trading Co. & Ors.

Appellant
[Rep. by Mr. Sunil, Co. employee]

Versus

CCE, Delhi-IV

Respondent
[Rep. by Mr. B.S. Suhag, DR]

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

FINAL Order 145-148/08-EX

Per P.K. Das

By stay order No. 830 – 834 of 2008 –Ex. dated 18.08.2008 all the applicants were directed to deposit 25% of the penalties and to report compliance on 20.10.2008. Learned representative on behalf of the applicants placed copy of the order dated 12.01.2009 passed by the Hon'ble Supreme Court in the matter of M/s Om Iron & Steel and Others vs. CCE, Delhi-IV wherein time to deposit is extended by four weeks. It is also ordered that no further extension will be granted. He further submits that the applicant namely Mr. Rupesh Bansal, Partner of M/s Om Iron & Steel & Others and Director of M/s Ayushi Steel Co. Pvt. Ltd., deposited 25% of the penalty in Appeal No.1357/08. He also submits that they

have partly deposited the amount in terms of the stay order of the Tribunal in respect of other four applicants.

2. We find that despite the order of the Hon'ble Supreme Court the applicant No. 1 to 4 failed to comply the stay order and therefore, the appeals of the four applicants are dismissed for non compliance of the stay order. Appeal No.E/1357/08 of Mr. Rupesh Bansal, Partner of M/s Om Iron & Steel and Director of M/s Ayushi Steel Co. Pvt. Ltd., would be heard in due course.

[Dictated and pronounced in the open Court].

[M. Veeraiyan]
Member (Technical)

[P.K. Das]
Member (Judicial)

[Pant]