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

Appeal No. E/1312/2008-1314/2008 - EX[DB] Date 06/03/2009

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

To :
M/S CHAUDHARANA STEELS PVT LTD(UNIT NO 1)
A-16 SATHARIA, INDUSTRIAL AREA SATHARIA,
JAUNPUR.
M/S CHAUDHARANA STEELS PVT LTD(UNIT NO 1) Appellant
Vs
C.C.E ALLAHABAD Respondent

I am directed to transmit herewith a certified copy of **Final order** No. 189-191/2009-EX[DB] dated 27-2-09 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 ALLAHABAD
   38,M.G.MARG, CIVIL LINES, ALLAHABAD
2. Adv. / Consult
   ~~MR.S.P. OJHA~~
   ~~299, BAGHAMBARI HOUSING SCHEME, ALLAHPUR, ALLAHABAD, (UP)~~
   SH. ATUL GUPTA, C.S
   B-1/1289-A, VASANT KUNJ,
   N. DELHI-70

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 Publictions (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)

17. RAJESH KUMAR GUPTA, DIRECTOR
M/S CHAUDHARANA STEEL PVT LTD(UNIT 1&2) A-16,A-48
SATHARIA, INDUSTRIAL AREA SATHARIA, JAUNPUR(UP)

18. M/S CHAUDHARANA STEELS PVT LTD(UNIT NO 2)
A-48 SATHARIA, INDUSTRIAL AREA SATHARIA,
JAUNPUR(UP)

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL,

West Block No.2, R.K.Puram, New Delhi

COURT-III

Date of hearing/decision: 27.2.2009

Central Excise Appeal Nos.1312-1314 of 2008

Arising out of the Stay Order No.04-06/09-Ex. dated 20.11.2008 passed by the CESTAT, New Delhi read with order in original No.MP(Dem-26/2006) 16 of 2008 dated 18.3.2008 passed by the Commissioner, Central Excise, Allahabad.

For Approval and Signature:

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

1	Whether Press Reporter 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 CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	NA.
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

Appellants/applicants | Respondent

1-2 M/s Chaudharana Steels Pvt. Ltd. vs. C.C.E.
3. Shri Rajesh Kumar Gupta — Allahabad

Appearance:

Shri Atul Gupta, Company Secretary for the appellants
Shri C.S. Rajput, Authorized Departmental Representative (DR) for the Revenue

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

FINAL Order No. 189-191/09-EX.

Per P.K. Das:

Vide Stay Order No.04-06/2009 dated 20.11.2008 the applicants were directed to deposit in Appeal No.E/1312, 1313/2008 a sum of Rs.50 lakhs each and to report compliance on 27.1.2009. Applicant No.3 in Appeal No.E/1314/08 was directed to deposit a sum of Rs.10 lakhs and to report compliance on 27.1.2009. We find from the record that the applicants were given further opportunity to comply with the order on 12.2.2009 and to report compliance today. Learned Representative for the applicants submits that they are filing Writ Petition before the Hon'ble High Court. We find that the applicants failed to comply with the Stay Order of the Tribunal and there is no stay from the Hon'ble High Court. Accordingly, all the appeals are dismissed for non-compliance of the Stay Order under Section 35F of the Central Excise Act, 1944.

(Dictated and pronounced in the open Court)

(M. Veeraiyan)
Member (Technical)

(P.K. Das)
Member (Judicial)

scd/