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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/699 /2006-701 /2006 - EX[DB]

Date 29/09/2009

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

To :
C.C.E. INDORE
MANIK BAGH PALACE, POST BOX NO. 10, INDORE
452001 (M.P.)
C.C.E. INDORE

M/S DHANRAJ ORGANICS LTD.

Appellant

Vs

Respondent

2009 EX[DB] dated 17-9-09

I am directed to transmit herewith a certified copy of Final order No. 718-720/

passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

M/S DHANRAJ ORGANICS LTD.

PLOT NO. 31, SECTOR-II, PITHAMPUR, DISTT. DHAR, M.P.

2. Adv. / Consult

NONE

3 C.D.R

~~4 J.C.D.R.~~

5 Bar association, CESTAT, New Delhi

6 Director Publications, Customs, Excise. I.P. Estate, New Delhi

7 M/s Centax Publications Pvt Ltd., 1512-B, Bhishm Pitamah marg, Opp. ICICI Bank of Defence Colony, New Delhi - 3

8 Commercial Laws of India Pvt Ltd. Post Bag No. 1033, No.2(Old No. 36), Vaithyaram Street, T. Nagar, Chennai -17

9 Raghuraman's 44-B, Regal Flat, Shipra Suncity, Indirapuram - 201010, Ghaziabad, DT, U.P.

10 M/s Manupatra Information Solutions Pvt Ltd. Excise & Customs Cases B-37, Sector - 1, Noida - 201301, Gautam Budh Nagar, (UP)

11 M/s. Deeparchie Publications, M-93, Marg. 46, Saket, New Delhi 110017

12 Taxindiaonline.com Pvt.Ltd, B-XI/8183, Vasant Kunj, New Delhi - 110070

13 Taxmann Allied Service Pvt Ltd., 21/35, West Punjabi Bagh, New Delhi - 110026

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

15 LAWCRUX Advisors Pvt Ltd, LAW House, 1-8, Sector - 10, Faridabad 121003 (Harvana)

16 Office Copy

17 Guard file


Assistant Registrar
(Excise Appeal Branch)

← 18. SHRI RUPAL PAREKH,
19. SHRI ABHAY AGARWAL,

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST BLOCK NO.II, R.K. PURAM, NEW DELHI-110066.
BENCH-DB

Excise Appeal No.699-701 of 2006
(Arsing out of Order-in-Appeal No.IND-I/348-352/2005 dated 27.10.2005
passed by the Commissioner of Central Excise (Appeals), Indore)
Date of Hearing/Decision: 17.09.2009

For approval and signature:

Hon'ble Dr.Chittaranjan Satapathy, Member (Technical)
Hon'ble Mr.D.N.Panda, Judicial Member

1	Whether Press Reporters may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	Yes
2	Whether it should be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	Yes
3	Whether Their Lordships wish to see the fair copy of the Order?	See
4	Whether Order is to be circulated to the Departmental authorities?	Yes

Commissioner of Central Excise, Indore
Vs.
M/s.Dhanraj Organics Ltd.

Appellant
Respondent

Present for the Appellant: Shri Sunil Kumar, DR
Present for the Respondent: None

Coram:Hon'ble Dr.Chittaranjan Satapathy, Member(Technical)
Hon'ble Mr.D.N.Panda, Judicial Member

FINAL ORDER NO. 718-720/09-ED

PER: DR.CHITTARANJAN SATAPATHY

Heard the learned DR for the department. The respondents are not present. There is also no adjournment request. As such, the grounds of appeal advanced by the department remain uncontroverted by the respondents. Hence, we are of the view that the grounds of appeal advanced on behalf of the department require to be considered. Accordingly, the impugned order is set aside and the matter is remanded to the lower appellate authority for fresh decision on merits. He shall provide an adequate opportunity of hearing to both sides before passing fresh orders. The department's appeals are allowed.

(CHITTARANJAN SATAPATHY)
MEMBER (TECHNICAL)

(D.N.PANDA,
MEMBER (JUDICIAL)

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