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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/6196/2004 - EX[DB]
E/CO/62/2005

Date 25/09/2009

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

To :
C.C.E.MEERUT-I
MAGALE PANDAY NAGAR
C.C.E.MEERUT-I

M/S FABRIC INDIA(P)LTD.

Appellant

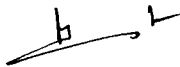
Vs

Respondent

2009 EX[DB] dated 22-9-09

I am directed to transmit herewith a certified copy of Final order No. 712/

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 FABRIC INDIA(P)LTD.

DELHI ROAD,
RITHANI, MEERUT-1

2. Adv. / Consult

MR. PRADEEP JAIN, ADVOCATE

34 GUJRAT VIHAR, VIKAS MARG, DELHI-92

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

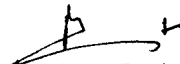
14. Easy Service Tax Online Dot Com Pvt Ltd. 407A, Iscon Mall, Above Star India Bazar, Satellite Road, Ahmedabad-15

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

16. Office Copy

17. Guard file

18. HON'BLE PRESIDENT


Assistant Registrar
(Excise Appeal Branch)

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
NEW DELHI**

PRINCIPAL BENCH - COURT NO. 1

**Excise Appeal No. 6196 of 2004 &
E/CO/62/2005**

(Arising out of Order-in-Appeal No. 562-CE/MRT-I/2004 dated 20.09.2004
passed by the Commissioner of Central Excise (Appeals), Meerut-I).

DATE OF HEARING : 22.09.2009
DATE OF DECISION : 22.09.2009

FOR APPROVAL AND SIGNATURE :

HON'BLE MR. JUSTICE R.M.S. KHANDEPARKAR, PRESIDENT
HON'BLE MR. M. VEERAIYAN, 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 ?	<i>Yes</i>
2.	Whether it should be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not ?	<i>No</i>
3.	Whether their Lordships wish to see the fair copy of the Order ?	<i>See</i>
4.	Whether Order is to be circulated to the Departmental Authorities?	<i>Yes</i>

CCE, Meerut

..... **Appellant**
(Rep by Shri Amit Kumar, DR)

VERSUS

M/s Fabric India (P) Ltd.

..... **Respondent**
(Rep. by Shri Sansar Chand, SDR)

CORAM : HON'BLE MR. JUSTICE RMS KHANDEPARKAR, PRESIDENT
HON'BLE MR. M. VEERAIYAN, MEMBER (TECHNICAL)

Final ORAL ORDER NO. 712/09-EX

PER JUSTICE R.M.S. KHANDEPARKAR :

The learned DR states that already an Appeal No. E/6063 of 2004 filed by the Department against the same impugned order has been disposed of as dismissed by order dated 31st August, 2009. He further submits that, by mistake the present appeal was filed as already there was another appeal filed against the same order. In view of the disposal of the appeal against the impugned order, the present appeal is accordingly rendered infructuous.

2. We also noticed that cross-objections have also been filed in this appeal. However, none has appeared for the respondent. In any case the cross-objections are merely in the nature of supporting the impugned order. There is no specific relief as such sought therein.

3. In view of the appeal being rendered infructuous and none having been appeared on behalf of the respondents, the appeal and the cross-objections are disposed of.

(JUSTICE R.M.S. KHANDEPARKAR)
PRESIDENT

(M. VEERAIYAN)
MEMBER (TECHNICAL)