

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

Appeal No. C/440 /2008

Date 04/09/2008

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

To :
M/S MAGPIE OVERSEAS CO.
2658, SABZI MANDI GHANTA GHAR,
OPP. ROBIN CINEMA, DELHI-110 007.

M/S MAGPIE OVERSEAS CO.

Appellant

C.C.E. DELHI II

Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No. C/323 2008 Customs dated 25.08.08
passed by the Tribunal under Section 129, (B) of the Customs Act, 1962 & Financial Act 1994 relating to Service Tax


Assistant Registrar

(Customs Appeal Branch)

Copy to :

1. Respondent

C.C.E. DELHI II, C.R. BUILDING,

I.P. ESTATE, NEW DELHI 110002

2. Adv. / Consult MR.PRABHAT KUMAR, ADV., B-51(BASEMENT)
SARVODAYA ENCLAVE NEAR MOTHER INTERNATIONAL
SCHOOL, NEW DELHI - 110 017.

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 Delhi -

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

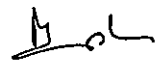
12. Commercial Laws of India Pvt Ltd Post Bag No. 1033, No.70(Old No. 88), Thyagaraya Road, T. Nagar, Chennai 60017

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
(Customs Appeal Branch)

**IN THE CUSTOMS, EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, COURT NO. III**

Customs Appeal No. 440 of 2008

[Arising out of Order-in-Original No. 10/ 2007-08 dated 19/21.2.08
passed by the Commissioner of Central Excise, New Delhi.]

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 should 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?

NO

Yes

M/s. Magpie Overseas Co.

Appellant

Vs.

○ Commissioner of Central Excise
Delhi.

Respondent

Appearance: None for the Appellant

Mr. L.B. Yadav, DR for the Respondent

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

Date of decision : 25.8.2008

Final ORDER NO. C/ 323/08

Per M. Veeraiyan (for the Bench):

Vide stay order No. C/239/08 dated 22.7.08 the appellant was required to pre-deposit the amount in dispute and to report compliance today, i.e. on 25.8.08. When the matter was called, none was present. When the matter was called second time after being passed over also none was present and no compliance report has been brought on records.

In view of the above, we dismiss the appeal for non-compliance with the conditions of the stay order.

(Operative part of the order pronounced in the open Court)

(M. Veeraiyan)
Member(Technical)

(P.K.Das)
Member(Judicial)

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