

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

Appeal No. C/213 /2005

Date 15/01/2008

Assistant Registrar
C.E.S.T.A.T, New DelhiTo :
FOOD CORPORATION OF INDIA
'E' SHED, RAY ROAD, MUMBAI
400033

FOOD CORPORATION OF INDIA

COMMISSIONER OF CUSTOMS, NEW CUSTOM
HOUSE, BALLARDAppellant
Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No C/01/08 Customs dated 7-1-08 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

COMMISSIONER OF CUSTOMS, NEW CUSTOM
HOUSE, BALLARDCOMMISSIONER OF CUSTOMS (IMPORT) NEW
CUSTOM HOUSE, BALLARD ESTATE, MUMBAI
400038

2. Adv. / Conslrt

*D. N. Mehta, 129,
SFS, DDA Flats,
Punjabi Bagh Apts,
New Rohtrak Rd.,
Delhi*

3. S.D.R.

4. J.C.D.R.

5. Bar association, CESTAT, New Delhi

6. M/s. Deeparchi Publications, M-93, marg, 43, saket, New

7. M/s Centax Publications (P) Ltd., 1512-E, Bhishm Pitamah

8. Excise & Customs cases, B-37, Sector -1, NOIDA - 201301

9. R.Venkatraman Constt. 44-B, S.Suncity, Ghaziabad -

10. Nidheshak publications, I.P.Estate, new Delhi

11. Taxmann Allied Services Pvt Ltd., 21/35, West Punjabi Bagh,

12. Co, Law Institution

13. TAX INDIA, B-XI/8183, Vasant Kunj, New Delhi - 110070

14. Office Copy

15. Guard file

[Signature]
Assistant Registrar
(Customs Appeal Branch)

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

PRINCIPAL BENCH - COURT NO. 1

Customs Appeal No. 213 of 2005

(Arising out of Order-in-Appeal No. 772/2004 MCH dated 17.12.2007 passed by the Commissioner of Customs (Appeals), Mumbai).

DATE OF HEARING : 07.01.2008
DATE OF DECISION : 07.01.2008

FOR APPROVAL AND SIGNATURE :

HON'BLE MR. JUSTICE S.N. JHA, PRESIDENT
HON'BLE MR. T.K. JAYARAMAN, 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 ?	
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?	

Food Corporation of India

Appellant
(Rep by Sh. D.N. Mehta, Adv.)

VERSUS

CC, Mumbai

Respondent
(Rep. by Sh. R.K. Verma, DR)

CORAM : HON'BLE MR. JUSTICE S.N. JHA, PRESIDENT
HON'BLE MR. T.K. JAYARAMAN, MEMBER (T)

Final

ORDER NO.

C/01/08

PER JUSTICE S.N. JHA (for the Bench) :

The learned counsel for the appellant stated that, although the Committee on Disputes has declined to issue the clearance, an application has been filed for review of the decision. He prayed for adjournment. As the position stands on date, we have no other option but to dismiss the appeal for want of clearance from the Committee on Disputes. We order accordingly, but with liberty to the appellant to get the appeal restored as and when such clearance is obtained.

(Dictated and pronounced in the open Court on the 7TH day of January, 2008)

**(JUSTICE S.N. JHA)
(PRESIDENT)**

**(T.K. JAYARAMAN)
MEMBER (TECHNICAL)**