

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

Appeal No. C/ 492- 493 /2007

Date 08/04/2008

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

To :

SUBODH KUMAR PANDEY
C/O SH. ARUN PANDEY, MOHALLA FARSH, DISTT.
KANNAUJ, U.P.

SUBODH KUMAR PANDEY

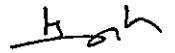
Appellant

C.C. (ICD) NEW DELHI

MISC. ORDER NO.C/27/08

Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No. C/90/2008-CUSTOMS DT.28.03.08
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. (ICD) NEW DELHI

ICD, TUGHLAKABAD, NEW DELHI 110020.

2. Adv. / Consult MR. J.P. KAUSHIK, ADV.

A-14/3, SFS FLATS, SAKET, NEW DELHI -17.

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 Service 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



Assistant Registrar

(Customs Appeal Branch)

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

Customs Appeal Nos. 492-493 of 2007

[Arising out of Order-in-Original No. 07/07 dated 1.5.2007 passed by
Commissioner of Customs, ICD/TKD, New Delhi]

Shri Subodh Kumar Pandey
Shri Narender Singh

Appellants

Vs.

Commissioner of Customs
New Delhi

Respondents

Appearance: None for the Appellant
Mr. A.K. Madan, DR for the Respondent

CORAM:

Hon'ble Mr. Justice S.N. Jha, President
Hon'ble Mr. M. Veeraiyan, Member (Technical)

Final Order No C/10/08 Date of decision : 28.3.2008
MISC ORDER NO. C/27/08

Per Justice S.N. Jha (for the Bench):

When these appeals were taken up, our attention was drawn to certain errors in the order dated 21.1.2008. After hearing the parties we pass the following order.

1. In Appeal Nos. 491-492/2007 (Shri Vijay Gupta and Shri Subodh Kumar Pandey), the appellants had moved the Delhi High Court and by interim order dated 21.2.08 they were directed to deposit sum of Rupees Three lakhs each within four weeks. While Shri Vijay Gupta, appellant in Appeal No. 491/2007 deposited the said amount on 17.3.2008, there is no compliance report in the case of Shri Subodh Kumar Pandey, appellant in

Appeal No. 492/2007. These cases were taken up in the morning session and as none appeared on behalf of the concerned appellant, they were passed over so that the appellant's counsel could appear and apprise us of the position regarding compliance of the order. When the cases were taken up after the luncheon break, again, none appeared. As there is no proof showing that the order of the High Court has been complied with, we have no option but to dismiss the appeal No. 492/2007 for non-compliance. We order accordingly.

2. Appellant in Appeal No. 493/2007 has complied with the order by depositing the requisite amount. The previous order to this extent stands modified.

(Dictated in the open Court)

(Justice S.N. Jha)
President

(M. Veeraiyan)
Member(Technical)

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