

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

Appeal No. ST/519 /2007-523 /2007-SM[BR]

Date 14/01/2008

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

To :
C.C.E. CHANDIGARH
C.R. BUILDING, PLOT NO. 19, SECTOR 17-C,
CHANDIGARH 160017


C.C.E. CHANDIGARH

Appellant

M/S AURO SPINNING MILLS

Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No.75-79/2008-SM[BR] dated 7.1.2008
passed by the Tribunal under Section 129, (B) of the Customs Act,1962 & Financial Act 1994 relating to Service Tax


Assistant Registrar
(SM Appeal Branch)

Copy to :

1. Respondent

M/S AURO SPINNING MILLS

SAI ROAD, BADDI

2. Adv. / Consult SHRI. BALBIR SINGH ADV.

C/O. RESPONDENT:-

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

1. M/S VMT SPINNING CO. LTD.(100%)

VILLAGE KALYANPUR, NALAGARH

2. M/S AURO SPINNING MILLS

SAI ROAD, BADDI

1. M/S VMT SPINNING CO. LTD.

VILLAGE KALYANPUR, NALAGARH

5. M/S AURO DYEING (A VIV. OF MSM LTD.)

SAI ROAD, BADDI,


Assistant Registrar
(SM Appeal Branch)

IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, NEW DELHI
COURT NO. II

Service Tax Appeal No. 519-523 of 2007-SM(BR)

(Arising out of Order-in-Appeal No. 208-212/CE/CHD/07 dated 27.6.07 passed by the Commissioner of Central Excise (Appeals), Chandigarh)

For approval and signature

HON'BLE MR. S.S. KANG, VICE PRESIDENT

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 would 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.	

CCE, Chandigarh

Appellant

Vs.

M/s Auro Spinning Mills
M/s VMT Spinning Co. Ltd.

Respondent

Appearance:

Shri S.L. Meena, SDR - For appellant
Shri Balbir Singh, Advocate - For respondent

CORAM:

HON'BLE MR. S.S. KANG, VICE PRESIDENT

Date of Hearing: 7.1.2008

Final Order No.....75-79/08-SM(BR)...dated.....

Per S.S. Kang:

Heard both sides.

2. Revenue filed these appeals against the impugned order whereby Commissioner (Appeals) relied upon the decision of the

Tribunal in the case of **CCE, Chandigarh Vs. Nahar Industrial Enterprises Ltd.** – final order No. 695/07-SM dated 7.3.2007.

3. I find that this appeal has been filed only on the ground that the department of Revenue has not accepted the order passed by the Tribunal and proceedings for filing appeal against the decision of the Tribunal in the case of **Nahar Industrial Enterprises** (supra) are in progress. Merely, the proceedings for filing the appeal are under progress is no ground for challenging the order passed by the Tribunal. In view of the above, I find no merit in these appeals, the same are dismissed.

(Dictated & pronounced in open Court)

(S.S. KANG)
VICE PRESIDENT

RM