

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

Appeal No. E/2560/2006-SM[BR]

Date 24/01/2008

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

To :
M/S U.G.SUGAR & INDUSTRIES LTD
SEOHARA, DISTT. BIJNOR[U.P]

M/S U.G.SUGAR & INDUSTRIES LTD

Appellant

Vs

Respondent

THE COMMISSIONER OF CENTRAL EXCISE
MEERUT-II

I am directed to transmit herewith a certified copy of Final order No. 135/2008-SM[BR] dated 9.1.2008
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar
(SM Appeal Branch)

Copy to :

1. Respondent

THE COMMISSIONER OF CENTRAL EXCISE
MEERUT-II
MANGAL PANDEY NAGAR, MEERUT-II

2. Adv. / Consult

MR.BIPIN GARG
B-1/1289,A-VASANT KUNJ, NEW 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 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
(SM Appeal Branch)

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

Excise Appeal No. 2560 of 2005-SM(BR)

(Arising out of Order-in-Appeal No. 88-CE/MRT-II/06 dated 24.4.06 passed by the Commissioner (Appeals), Central Excise, Meerut-II)

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?	red
3.	Whether their Lordships wish to see the fair copy of the order?	
4.	Whether order is to be circulated to the Departmental authorities.	

U.G. Sugar & Industries Ltd.

Appellant

Vs.

CCE, Meerut-II

Respondent

Appearance:

Shri Bipin Garg, Advocate

- For appellant

Shri S.L. Meena, SDR

- For respondent

CORAM:

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

Date of Hearing: 9.1.2008

Final Order No. 135/08-SM(BR) dated 9/1/08

Per S.S. Kang:

Heard both sides.

2. The present appeal is in respect of consequential demand. The remission application filed by the appellant in respect of loss of molasses was rejected by the Commissioner of Central Excise and appellant filed appeal before the Tribunal and the Tribunal in Appeal No. E/170/06-SM vide order dated 12.12.2007 remanded the matter to the adjudicating authority to decide afresh in respect of the request for remission. As the present appeal is against the consequential demand to the rejection of remission application, therefore, in view of the final order dated 12.12.07, the impugned order is set aside and the matter is remanded to the adjudicating authority to decide afresh after affording an opportunity of hearing to the appellant. The appeal is disposed of by way of remand.

(Dictated & pronounced in open Court)

(S.S. KANG)
VICE PRESIDENT

RM