

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/1274 -1275 /2006 -SM [BR]

Date 23/04/2008

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

To :

(12) M/S DIMENSIONS OVERSEAS

B-133, OKHLA IND AREA, PHASE-I, N DELHI

M/S DIMENSIONS OVERSEAS

CCE, DELHI

Appellant

Vs

Respondent

I am directed to transmit herewith a certified copy of Final order No. 644 -645 /2008 -SM[BR] dated 17.4.2008

passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar

(SM Appeal Branch)

Copy to :

1. Respondent

CCE, DELHI

IP BHAWAN, IP ESTATE N DELHI

2. Adv. / Consult

MR. K.K. ANAND ADV.

A -5, BASMENT LAJPAT NAGAR-III NEW DELHI -110024.

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. Office Copy

15. Guard file


Assistant Registrar
(SM Appeal Branch)

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE
TRIBUNAL, R.K. PURAM, W.B. NO.2, PRINCIPAL BENCH
NEW DELHI, COURT NO. I**

Excise Appeal Nos. 1274 -75 of 2006

[Arising out of order in appeal No. 45-46/CE/DLH/2005 dated 17.01.2006
passed by the Commissioner of Central Excise (Appeals), New Delhi]

Date of Hearing/ Decision: 17.04.2008

For approval and signature:

Hon'ble Mr. Justice S.N. Jha, 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 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?
-

M/s Dimensions Overseas Pvt. Ltd., Appellant
[Rep. by Mr. K. K. Sharma, Advocate]

Vs.

CCE, Delhi Respondent
[Rep. by Mr. Sumit Kumar, DR]

CORAM: Hon'ble Mr. Justice S.N. Jha, President

Final ORDER 644-645/08-sm(BR)

Per Mr. Justice S.N. Jha

A preliminary objection has been raised on behalf of the
Revenue as to the maintainability of these appeals in view of clause
(b) of the first proviso to Section 35B of the Central Excise Act. The

dispute relates to claim for rebate of duty. In view of the above, learned Counsel for the appellant seeks permission to withdraw the appeals, so that the appellant may seek remedy elsewhere in accordance with law.

2. Appeals are dismissed as withdrawn.

(Dictated and pronounced in the open Court)

[Justice S.N. Jha]
President

[Pant]

17/4/08
**CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI, COURT NO.1**

EXCISE APPEAL NOS. 1274 & 1275 OF 2006

Date of Hearing/Decision: 5.3.2008

M/s. Dimensions Overseas Applicant
[Rep. by: Mr. Ganesh Clerk of the Advocate, Mr. K.K. Anand]

Versus

CC, Meerut-II Respondent
[Rep. Mr. B.S. Suhag, Authorized Representative(DR)]

Coram: Hon'ble Mr. Justice S.N. Jha, President

ORDER

Per Justice S.N.Jha:

On ~~the~~ request of the appellant adjourned to 17.4.2008.


[Justice S.N.Jha]
President

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