

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/772 /2007-SM[BR]

Date 12/05/2008

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

To :
C.C.E ALLAHABAD
38,M.G.MARG, CIVIL LINES, ALLAHABAD

C.C.E ALLAHABAD

Appellant

Vs

M/S D.L.W. MANDUADIH

Respondent

I am directed to transmit herewith a certified copy of Final order No. 744 /2008 –SM[BR] dated 5.5.2008
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 D.L.W. MANDUADIH

VARANASI, U.P.

2. Adv. / Consult SHRI M.M. PAREKH ADV.

F-3, VIJAYA COMPLEX B20 /44-A, BNERNPUR VARANASI

3. S.D.R.

~~4. I.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 & SERVICE TAX
APPELLATE TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, NEW DELHI
COURT NO. II

Service Tax Appeal No. 772 of 2007-SM

(Arising out of Order-in-Appeal No. 56-ST/ALLD/2007 dated 26.9.07 passed by the Commissioner, Central Excise, Allahabad)

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?	Yes
2.	Whether it would be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	No
3.	Whether their Lordships wish to see the fair copy of the order?	Yes
4.	Whether order is to be circulated to the Departmental authorities.	No

CCE, Allahabad

Appellant

Vs.

M/s D.L.W. Manduadih

Respondent

Appearance:

Shri Rajmal, DR - For appellant
Shri M.M. Paresh, Advocate - For respondent

CORAM:

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

Date of Hearing: 5.5.2008

Final Order No. 744/08-SM (C.B.R.) dated 5.5.08

Per S.S. Kang:

^{Respondent}
The appellant is a Government of India Undertaking and governed by the orders passed by the Hon'ble Supreme Court in the case of **ONGC Vs. CCE, Calcutta** reported in 1992 (61) ELT

3. The requisite permission to pursue the appeal has not been filed

by the appellant. Therefore, the appeal is dismissed. However, the appellant shall have liberty to apply for restoration of the appeal on production of necessary clearance from the COD.

(Dictated & pronounced in open Court)

(S.S. KANG)
VICE PRESIDENT

RM