

TELEGRAM : CEGCANAL

Website : www.cestat.gov.in

REGISTERED / AD
Email : delhi@cestat.gov.in

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

Appeal No. ST/807 /2008 - CU[DB]
ST/S/2480/08, ST/COD/67/09

Date 25/05/2009

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

To :
M/S FERRO SCRAP NIGAM LIMITED.

F.S.N.L. BHAWAN, EQUIPEMENT CHOWK, CENTRAL
AVENUE, POST BOX NO. 37, BHILAI, (C.G.)-490001.

M/S FERRO SCRAP NIGAM LIMITED.

Appellant

Vs

Respondent

C.C.E. RAIPUR

I am directed to transmit herewith a certified copy of Final order No. ST/176

2009 CU[DB] dated 13.05.09

passed by the Tribunal under Section 129, (B) of the Customs Act, 1962 & Financial Act 1994 relating to Service Tax

abrogation of order no ST/176/09

[Signature]
Assistant Registrar
(Customs Appeal Branch)

Copy to :

1. Respondent

C.C.E. RAIPUR

CENTRAL EXCISE BUILDING, DHAMTARI ROAD, TIKRAPARA, RAIPUR 492001.

2. Adv. / Consult

MR.V. LAXMIKUMARAN

B-6/10, SAFDARJUNG ENCLAVE, NEW DELHI-110029

3 S.D.R

4 J.C.D.R.

5 Bar association, CESTAT, New Delhi

6 Director Publications, Customs, Excise. I.P. Estate, New Delhi

7 M/s Centax Publications Pvt Ltd., 1512-B, Bhishm Pitamah marg, Opp. ICICI Bank of Defence Colony, New Delhi - 3

8 Commercial Laws of India Pvt Ltd. Post Bag No. 1033, No.2(Old No. 36), Vaithyaram Street, T. Nagar, Chennai -17

9 Raghuraman's 44-B, Regal Flat, Shipra Suncity, Indirapuram - 201010, Ghaziabad, DT, U.P.

10 M/s Manupatra Information Solutions Pvt Ltd. Excise & Customs Cases B-37, Sector - 1, Noida - 201301, Gautam Budh Nagar, (UP)

11 M/s. Deeparchie Publications, M-93, Marg. 46, Saket, New Delhi 110017

12 Taxindiaonline.com Pvt.Ltd. B-XI/8183, Vasant Kuni, New Delhi - 110070

13 Taxmann Allied Service Pvt Ltd., 21/35, West Punjabi Bagh, New Delhi - 110026

14 Easy Service Tax Online Dot Com Pvt.Ltd. 407A, Iscon Mall, Above Star India Bazar, Satellite Road, Ahmedabad-15

15 LAWCRUX Advisors Pvt Ltd, LAW House, 1-8, Sector - 10, Faridabad 121003 (Harvana)

16 Office Copy

17 Guard file

[Signature]
Assistant Registrar
(Customs Appeal Branch)

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
West Block No. 2, R.K. Puram, New Delhi – 110 066.
Principal Bench, New Delhi**

COURT NO. II

**Service Tax COD Application No. 67 of 2009 and Stay
Application No. 2480 of 2008 in Appeal No. 807 of 2008**

[Arising out of the Order-in-Original No. Commissioner/
RPR/73/2008 dated 28/08/2008 passed by The Commissioner
of Central Excise and Customs, Raipur, Chhattisgarh.]

DATE OF HEARING : 13/5/09

For Approval and signature :

Hon'ble Shri D.N. Panda, Judicial Member

Hon'ble Shri Rakesh Kumar, Technical Member

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 :
Department Authorities?
-

M/s Ferro Scrap Nigam Limited

Appellant

[Shri Ravi Raghavan, Advocate]

Versus

CCE, Raipur

Respondent

[Shri S.K. Panda, Auth. Rep. (Jt. CDR)]

**CORAM : Hon'ble Shri D.N. Panda, Judicial Member
Hon'ble Shri Rakesh Kumar, Technical Member**

Final
Stay Order No 57/172/09, Order No. 57/176/09, Dated : _____

Per. D.N. Panda :-

The learned Counsel submits that there was no clearance from COD obtained by Appellant. As no such clearance was obtained, Applicant's appeal is dismissed with liberty to mention for restoration. Both the stay applications and appeals are thus dismissed.

(Dictated and pronounced in open court)

(D.N. Panda)
Judicial Member

(Rakesh Kumar)
Technical Member

PK