

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

Appeal No. E/951 /2009 - EX[DB]
E/S/914/2009-EX

Date 22/06/2009

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

To :
M/S UNIMET PROFILES PVT. LTD
PLOT NO 10, INDUSTRIAL ESTATE, DHARUHERA,
DISTT REWARI
M/S UNIMET PROFILES PVT. LTD

Appellant

Vs

Respondent

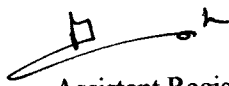
C.C.E. DELHI III

STAY ORDER NO.538/2009-EX

EX[DB] dated 5-6-09

I am directed to transmit herewith a certified copy of Final order No. 413/2009-

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


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. DELHI III

UDYOG MINAR, UDYOG VIHAR, VANIJYA NIKUNJ, PHASE V, GURGAON - 122016 (HARYANA)

2. Adv. / Consult

MR.R.PAL SINGH

84, DARYAGANJ, N.DELHI

3 C.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 Kunj, 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


Assistant Registrar
(Excise Appeal Branch)

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
NEW DELHI

COURT NO. II

**Excise Stay No. 914 of 2009 and Excise Appeal No. 951 of
2009-Ex.**

(Arising out of Order-in-Appeal No.33/ANS/GGN/2009 dated 4.2.09
passed by the Commissioner of Central Excise (Appeals), Delhi.

M/s Unimet Profiles Pvt. Ltd.

Appellant

Vs.

CCE, Delhi-III

Respondent

Appearance :

Appeared for Appellant : Shri R. Pal Singh, Consultant

Appeared for Respondent : Shri S.N. Srivastav, DR

Date of Hearing: 3.6.2009

CORAM: HON'BLE MR. D.N. PANDA, JUDICIAL MEMBER
HON'BLE MR. RAKESH KUMAR, TECHNICAL MEMBER

Final order No 413/2009-Ex
stay Order No.....538/2009-Ex.....dated.....

Per D.N. Panda:

Ld. Consultant Shri R. Pal Singh submits that when the
Appellant failed to make pre-deposit before the Id. first Appellate
Authority its appeal was dismissed without being considered on
merits. He further submits that Rs.2,50,000/- has already been

deposited. We direct the Appellant to appear before Id. Commissioner (Appeals) on **10th June 2009** and produce the copy of challan for Rs.2,50,000/- showing the deposit of directed amount by him. If the Id. Commissioner (Appeals) ^{is} ~~has~~ satisfied about the deposit, he should grant an opportunity to hear the appellant on merit. This we say to do justice to both the sides.

2. In view of the aforesaid observation, we remand the matter dismissing both stay application and appeal.

(Dictated & pronounced in open Court)

(D.N. PANDA)
JUDICIAL MEMBER

(RAKESH KUMAR)
TECHNICAL MEMBER

RM