

**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/61 /2009 – SM[BR]

Date 01/06/2009

Assistant Registrar
C.E.S.T.A.T, New DelhiTo :
C.C.E. JALLANDHAR(HQ. AT CHANDIGARH)
C.R.BUILDING, PLOT NO. 19, SECTOR 17-C,
CHANDIGARH.
C.C.E. JALLANDHAR(HQ. AT CHANDIGARH)

Appellant

Vs
Respondent

M/S GENERAL MANAGER (TELECOM),

I am directed to transmit herewith a certified copy of **Final order No. 506 / 2009 –SM[BR]** dated 15.5.2009
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 GENERAL MANAGER (TELECOM),

BSNL, JALANDHAR.

2. Adv. / Consult SHRI G.C. BARAR ADV.

N/V;-----

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


Assistant Registrar
(SM Appeal Branch)

IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE
TRIBUNAL, NEW DELHI, PRINCIPAL BENCH NEW DELHI

Service Tax Appeal No.61 of 2009-SM (BR)

[Arising out of Order-in-Appeal No.686/CE/Apl/Jal/2008 dated 21.10.2008
passed by the Commissioner of Central Excise (Appeals), Chandigarh]

Date of Hearing:15.05.2009

Date of Decision:15.05.2009

For approval and signature:

Hon'ble Mr. P.K. Das, Member (Judicial)

- | | | |
|--|---|-----|
| 1. Whether Press Reporters may be allowed to see
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? | : | Yes |
| 3. Whether Their Lordships wish to see the fair copy
of the Order? | : | |
| 4. Whether Order is to be circulated to the Departmental
authorities? | : | Yes |

CCE, Jalandhar

....Appellants

[Rep. by Shri R.K. Saini, DR]

Vs.

M/s.General Manager, Telecom (BSNL)

...Respondent

[Rep. by Shri G.C. Barar, Advocate]

CORAM: Mr. P.K. Das, Member (Judicial)

Final Order No...../Dated:15.05.2009

Per P.K. Das:

506/09-SM (BR)

Ld. DR on behalf of the Revenue submits that they have not
received the clearance of Committee of Disputes.

2. Ld. Advocate on behalf of the respondent submits that they have
also filed appeal against the impugned order, which was dismissed by the
Division Bench for want of COD clearance.

3. In view of the above submissions, the appeal is dismissed for want of COD clearance. The Revenue is at liberty to apply for restoration of appeal as and when the COD clearance is obtained.

[Order pronounced in open court on 15.05.2009.]

(P.K. Das)
Member (Judicial)

Ckp.

Dated:22.08.08