

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/2804/2007 – SM[BR]

Date 14/10/2009

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

To :
C.C.E. KANPUR
117/7, SARVODAYA NAGAR, KANPUR 208005.
C.C.E. KANPUR

M/S JUHI ALLOY LTD

Appellant
Vs
Respondent

I am directed to transmit herewith a certified copy of **Final order No. 1230 / 2009 –SM[BR]** dated 1.10.2009
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar
(SM Appeal Branch)

Copy to :

1. Respondent

M/S JUHI ALLOY LTD

F-90, INDUSTRIAL AREA, BHARWA SUMERPUR, HAMIRPUR.

2. Adv. / Consult

NONE;-----

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 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
(SM Appeal Branch)

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

Excise Appeal No.2804 of 2007-SM (BR)

[Arising out of Order No. 282-285-CE/APPL/KNP/2007 dated 31.07.2007 passed by the Commissioner of Central Excise (Appeals), Kanpur]

Date of Hearing/ Decision:01.10.2009

For approval and signature:

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

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- | | | |
|--|---|------|
| 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? | : | M |
| 3. Whether Their Lordships wish to see the fair copy of the Order? | : | |
| 4. Whether Order is to be circulated to the Departmental authorities? | : | Y-V) |
-

CCE, Kanpur

...Appellants
(Rep. by Shri Surendra Shah, JDR)

Vs.

M/s. Juhi Alloys Ltd.

...Respondent
(Rep. by None.)

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

final

Order No...1230/2009 SM (BR) Dated:01.10.2009

Per P.K. Das:

None appears on behalf of the respondent despite issue of notice.

2. Heard the ld. JDR on behalf of the Revenue. It appears from the record that the respondents have not filed any adjournment application.

They have also not filed any objection against the Grounds of Appeal

filed by the Revenue. As such, the impugned order is set aside. The matter is remanded back to the Commissioner (Appeals) to decide afresh after considering the Grounds of Appeal of the Revenue. Needless to say that the Commissioner (Appeals) shall give reasonable opportunity of hearing to the parties. The appeal filed by the Revenue is allowed by way of remand.

Order dictated & pronounced in open court on 1.10.2009.

(P.K. Das)
Member (Judicial)

Ckp.