

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

Appeal No. ST/516 /2009 - CU[DB]

Date 12/03/2010

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

To :
M/S C.T.COTTON YARN LIMITED,
P-10, LGF, GREEN PARK EXTENSION, NEW DELHI-
110016
M/S C.T.COTTON YARN LIMITED,

Appellant

Vs
Respondent

C.S.T. DELHI

I am directed to transmit herewith a certified copy of **Final order No. ST/4/ 2010 CU[DB]** dated 26.02.10
passed by the Tribunal under Section 129, (B) of the Customs Act, 1962 & Financial Act 1994 relating to Service Tax


Assistant Registrar
(Customs Appeal Branch)

Copy to :

1. Respondent

C.S.T. DELHI

17-B, I.P. ESTATE, IAEA HOUSE, NEW DELHI.

2. Adv. / Consult Sh. Amit Agarwal, CA

\ P-10 Green Park Extn. New Delhi - 16

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

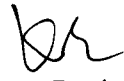
13 Taxmann Allied Service Pvt Ltd., 21/35. West Punjabi Bagh, New Delhi - 110026

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)

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Assistant Registrar
(Customs Appeal Branch)

IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
West Block No.2, R.K.Puram, New Delhi-110066.
Principal Bench, New Delhi.

ST/516/09

M/s. C.T.Cotton Yarn

Appellants

Versus

CST, New Delhi

Respondent

Appearance
None For Appellants

Sh. B.L.Soni, DR for Respondent

Coram: Hon'ble Mr. D.N.PANDA, MEMBER(JUDICIAL)
 Hon'ble Mr. RAKESH KUMAR, MEMBER (TECHNICAL)



Date of hearing : 26.2.2010

Order No 57/4/10

Per D.N.Panda:

By stay order dt.24.8.09 the appellant was directed to make pre-deposit of penalty of Rs.20 lakhs within six weeks from the date of order with further direction to make deposit of the entire interest due within one month of service of intimation quantifying interest liability till the date of ^{payment} compliance in respect of penalty was fixed to 16.10.09 and towards interest to 4.12.09. Learned DR Shri B.L.Soni submits that interest liability was quantified by the appropriate authorities on 14.10.09 and that was communicated to Asstt. Commissioner.

2. Today none present for the appellant and there is nothing on record to show that the stay order was complied with. The Registrar of the Tribunal by his order dt.8.2.2010 stated that there was no compliance before him on the date fixed.

3. It is made clear that right ^{of} appeal is ~~un~~conditional and ^{failure}unable to fulfil the condition ^{makes} the appeal ^{liable to be}is dismissed. We order accordingly.

Order dictated in the open Court.

(D.N.Panda)
Member(Judicial)

(Rakesh Kumar)
Member(Technical)

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