

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/3118/2010- SM [BR]

Date 09/02/2011

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

To :
M/S RATHI ISPAT LTD.
A-2, SOUTH OF G.T.ROAD, GHAZIABAD.
M/S RATHI ISPAT LTD.

C.C.E. GHAZIABAD

Appellant
Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No. 112 / 2011 –SM[BR] dated 2.2.2011
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar
(SM Appeal Branch)

Copy to :

1. Respondent
C.C.E. GHAZIABAD
C.G. O. COMPLEX-II, KAMLA
NEHRU NAGAR, GHAZIABAD
201302
2. Adv. / Consult
MR.RAJESH CHHIBBER
FA/9, NEW KAVI NAGAR, GHAZIABAD
3. C.D.R
4. Bar association, CESTAT, New Delhi
5. Director Publications, Customs, Excise. I.P. Estate, New
6. M/s Centax Publications Pvt Ltd., 1512-B, Bhishm Pitamah marg, Opp. ICICI Bank of Defence Colony, New Delhi -
7. Company Law Institute of India Pvt Ltd., No.2(Old No. 36), Vaithyaram Street, T. Nagar, Chennai -17
8. M/s. Deeparchie Publications, M-93, Marg. 46, Saket, New Delhi 110017
9. Taxmann Allied Service Pvt Ltd., 59/32, New Rohtak Road, New Delhi -
10. Easy Service Tax Online Dot Com Pvt.Ltd.407A, Iscon Mall, Above Star India Bazar, Satellite Road,
Ahmedabad-15
11. LAWCRUX Advisors Pvt Ltd, LAW House.1-8, Sector - 10, Faridabad 121003 (Harvana)
12. TaxIndiaOnline.com Pvt Ltd., Unit No.1, 2nd Floor, Vasant Arcade, Nelson Mandela Road,
Vasant Kunj, New Delhi - 110070
13. Office Copy
14. Guard file


Assistant Registrar
(SM 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. III
Excise Appeals No. 3118 of 2010 (SM)**

[Arising out of the Order-in-Appeal No. 93-94-CE/GZB/2010 dated 28/05/2010 passed by The Commissioner (Appeals), Central Excise, Ghaziabad.]

For Approval and signature :

Hon'ble Shri Rakesh Kumar, Member (Technical)

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 Rathi Ispat Ltd.

Appellant

Versus

CCE, Ghaziabad

Respondent

Appearance

None – for the appellant.

Ms. Rim Jhim Prasad, Authorized Representative (SDR) – for
the respondent.

CORAM : Hon'ble Shri Rakesh Kumar, Member (Technical)

DATE OF HEARING : 02/02/2011.

final Order No. 112 / 2011 SM (Br) Dated : _____

Per. Rakesh Kumar :-

The Tribunal vide stay order No. 617-618/2010-SM (BR) dated 26/11/2010 had directed the appellant to deposit entire amount of duty amounting of Rs. 4,33,584/- (Rupees Four Lakhs Thirty Three Thousand Five Hundred Eight Four) and sum of Rs. 1,00,000/- (Rupees One Lakh) towards penalty within a period of four weeks from the date of the order and compliance was to be reported today. Today when this matter was ^{called} ~~listed~~ neither there is any report of compliance of the Tribunal's order from the appellant nor anybody representing the appellant appeared. In view of this, the appeal is dismissed for non-compliance ^{of} ~~under~~ the provisions of Section 35F of Central Excise Act, 1944.

(Dictated and pronounced in open court.)

(Rakesh Kumar)
Member (Technical)

PK