

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/847 /2009 – SM[BR] & ST / STAY /3054 / 2009 –SM[BR]

Date 19/04/2010

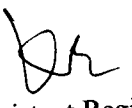
Assistant Registrar
C.E.S.T.A.T, New Delhi

To :
TELECOM DISTRICT MANAGER,
M/S BHARAT SANCHAR NIGAM LTD., RAEBARELI.
TELECOM DISTRICT MANAGER,

Appellant
Vs
Respondent

C.C.E. LUCKNOW

I am directed to transmit herewith a certified copy of Final order No.446 / 2009 –SM[BR]&S /151 / 2010 dated 12.4.2010 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

C.C.E. LUCKNOW

7-A, ASHOK MARG, LUCKNOW.

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 Company Law Institute of India Pvt Ltd., No.2(Old No. 36), Vaithyaram Street, T. Nagar, Chennai -17

9 ~~Raghuraman's 44-B, Regal Flat, Shiroa Suncity, Indirapuram - 201010, Ghaziabad, DT, U.P.~~

10 M/s. Deeparchie Publications, M-93, Marg. 46, Saket, New Delhi 110017

11 ~~Taxindiaonline.com Pvt Ltd, B-XI/8183, Vasant Kuni, New Delhi - 110070~~

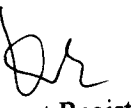
12 Taxmann Allied Service Pvt Ltd., 59/32, New Rohtak Road, New Delhi - 110005

13 Easy Service Tax Online Dot Com Pvt.Ltd.407A.Iscon Mall,Above Star India Bazar,Satellite Road,Ahmedabad-15

14 LAWCRUX Advisors Pvt Ltd, LAW House,1-8.Sector - 10, Faridabad 121003 (Harvana)

15 Office Copy

16 Guard file


Assistant Registrar
(SM Appeal Branch)

**CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL,
West Block No. 2, R.K. Puram,
NEW DELHI**

**ST/STAY NO. 3054 OF 2009 IN &
SERVICE TAX APPEAL NO. 847 OF 2009-SM**

[Arising out of Order-in-Appeal No. 135—ST/Lko/09 dated 6.8.2009
passed by the Commissioner (Appeals), Central Excise, Lucknow]

Dated of hearing/decision; 12th April, 2010

For approval and signature:

Hon'ble Mr. S.K. Gaule, 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 Departmental authorities?	

Telecom District Manager,
B.S.N.L.

Appellant

Vs.

CCE, Lucknow

Respondent

Appearance:

Shri I. Baig, Authorised Representative (DR) for the Revenue;
None for the respondents

Coram:

Hon'ble Mr. S.K. Gaule, Member (Technical)

ORAL ORDER NO. 446/2010 SM(Br) dated 1
STAY ORDER NO. 151/2010 SM(Br)
PER S.K. GAULE;

None is present for the respondents despite notice. Heard Shri V.K. Saxena, learned Jt. CDR.

2. The applicants have not produced clearance from COD. Accordingly, the Stay application as well as appeal are dismissed for want of COD clearance. The applicants are at liberty to apply for restoration of appeal and the stay application as and when COD clearance is obtained.

(S.K. GAULE)
TECHNICAL MEMBER

RK