

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/247 /2007 – SM[BR]

Date 12/01/2010

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

To :
M/S SANGAM SUITINGS
VILLAGE ATUN, CHITTOR ROAD, BHILWARA.
M/S SANGAM SUITINGS

C.C.E. JAIPUR II

Appellant
Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No . 54 / 2010 –SM[BR] dated 7.1.2010
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. JAIPUR II

NCRB, STATUE CIRCLE, C SCHEME, JAIPUR
302005

2. Adv. / Consult

MR.V. LAXMIKUMARAN

B-6/10, SAFDARJUNG ENCLAVE, NEW DELHI-110029

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

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

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(SM Appeal Branch)

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST BLOCK NO.II, R.K. PURAM, NEW DELHI-110066.
SINGLE MEMBER BENCH**

Excise Appeal No.247 of 2007

(Arising out of Order-in-Appeal No.580 (HKS) CE/JPR-II/2006 dated 07.11.2006 passed by the Commissioner of Customs & Central Excise (Appeals-II), Jaipur)

Date of Hearing: 23.12.2009

Date of Decision: 23.12.2009

M/s.Sangam Suitings

Appellant

Vs.

CCE, Jaipur-II

Respondent

Present for the Appellant: Ms.Nupur Maheshwari, Advocate

Present for the Respondent: Shri Sumit Kumar, SDR

Coram: Hon'ble Mr. D.N.Panda, Judicial Member

final **ORDER NO.** 54/2009 SM (Br)

PER: D.N.PANDA

Ld.Counsel fairly submits that cause of action does not subsist at present for hearing the appeal further. Ld.SDR submits that in view of the decision of Tribunal in the case of Hindustan Zinc Ltd. vs. CCE Jaipur-II dated 14.5.2009 there is no cause of action for which the same is liable to be dismissed. In view of aforesaid averment of both sides, there is no point to keep the appeal pending. Accordingly the appeal is dismissed.

**(D.N.PANDA)
JUDICIAL MEMBER**

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