

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

Appeal No. E/446 /2009-449 /2009 - EX[DB] WITH
E/MISC/972/09-EX

Date 07/04/2010

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

To :
M/S PRAKASH ISPAT UDYOG PVT. LTD.
D-13, INDUSTRIAL AREA, SIKANDRABAD,
M/S PRAKASH ISPAT UDYOG PVT. LTD.

C.C.E. NOIDA

MISC ORDER NO. 256/2010-EX

Appellant
Vs
Respondent

2010 EX[DB] dated 25-3-10

I am directed to transmit herewith a certified copy of Final order No. 153-156/
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. NOIDA

C-56/42, SECTOR-62, NOIDA-201307

2. Adv. / Consult

MR.NAVEEN MULLICK,ADV

B-388, MEERA BAGH, N.DELHI

3 C.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 (Haryana)

16 Office Copy

17 Guard file

18. HON'BLE PRESIDENT

19. SHRI PRAVEEN BANSAL, DIRECTOR OF
M/S PRAKASH ISPAT UDYOG PVT. LTD.
D-13, INDUSTRIAL AREA, SIKANDARABAD.

21. SHRI RICHHPAL BANSAL, MANAGER OF
M/S PRAKASH ISPAT UDYOG PVT. LTD.
D-13, INDUSTRIAL AREA, SIKANDARABAD.

20. SHRI SUNIL KUMAR BANSAL, DIRECTOR OF
M/S PRAKASH ISPAT UDYOG PVT. LTD.
D-13, INDUSTRIAL AREA, SIKANDARABAD.


Assistant Registrar
(Excise Appeal Branch)

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IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
West Block 2, R.K.Puram, New Delhi-110066
Principal Bench, New Delhi.

E/446/09 with E/M/972/09
E/447-449/09

**(Arising out of Order-in-Original
No.36/Commissioner/Noida/08 dt.23.9.08 passed by
Commissioner of Central Excise, Noida) For approval and
signature:**

Hon'ble Mr. Justice R.M.S.Khandeparkar, President
Hon'ble Mr. 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? *Yes*

2. Whether it would be released under Rule 27 of : *No*
the CESTAT (Procedure) Rules, 1982 for
publication in any authoritative report or not?

3. Whether their Lordships wish to see the fair : *Seen*
copy of the order?

4. Whether order is to be circulated to the : *Yes*
Department Authorities:

M/s. Prakash Ispat Udyog Pvt. Ltd.

Sh. Richhpal Bansal

Sh. Sunil Kumar Bansal

Sh. Praveen Bansal

Appellant

Versus

CCE, Noida

Respondent

Appearance

Shri Naveen Mullick, Adv. For Appellants

Sh. R.K.Verma, DR for Respondent

Coram: Hon'ble Mr. JUSTICE R.M.S.KHANDEPARKAR, PRESIDENT
Hon'ble Mr. RAKESH KUMAR, MEMBER (TECHNICAL)

Date of decision: 25.3.2010

Final Oral Order Nos *153 To 156/2010*

Misc. order No. 256/2010.

Per Justice R.M.S.Khandeparkar:

Learned Advocate for the appellants has placed on record the copies of the order dated 8.3.2010 passed by Hon'ble Supreme Court in Civil Appeal No.2235-2238 of 2010 arising out of SLP (C) No.30706 – 09/2009. Apparently in terms of the order of the Apex Court, the impugned order herein stands set aside and matter is remanded for fresh adjudication. Obviously before the Tribunal, the appeals do not survive and stands disposed of in the light of the order passed by the Apex Court.

(Justice R.M.S.Khandeparkar)
President

(Rakesh Kumar)
Member(Technical)

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