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

Appeal No. E/470 /2005 - EX[DB]
E/471/2005-EX(DB)

Date 07/05/2010

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

To :
M/S SITAPUR KIMAM PVT.LTD.
RAJADEEJ BISWAN SITAPUR U.P.
M/S SITAPUR KIMAM PVT.LTD.

Appellant

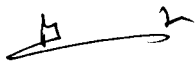
Vs

Respondent

C.C. LUCKNOW

2010 EX[DB] dated 30-4-10

I am directed to transmit herewith a certified copy of Final order No. 242-243/
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. LUCKNOW

5TH AND 11TH FLOOR, KENDRIYA BHAWAN, SECTOR -H, ALIGANH, LUCKNOW 226024.

2. Adv. / Consult

MR.RAJESH CHHIBBER

FA/9, NEW KAVI NAGAR, GHAZIABAD

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

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

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

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

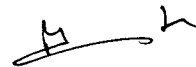
12 LAWCRUX Advisors Pvt Ltd, LAW House.1-8.Sector - 10, Faridabad 121003 (Harvana)

13 Office Copy

14 Guard file

15. M/S. KHATRI TOBACCO IND. PVT. LTD.

RAJADEEH, BISWAN, SITAPUR (UP)


Assistant Registrar
(Excise Appeal Branch)

16. Tax India Online.Com (P) Ltd.

Unit No.1, 2nd Floor, Vasant Aracade, Nelson Mandela Road,
Vasant Kunj, New Delhi-70

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

Excise Appeal No.E/470/2005
Excise Appeal No.E/471/2005

(Arising out of Order-in-Appeal No.398-CE/LKO/04 dated 24.11.2004
and 413-CE/LKO/04 dt.29.11.04 passed by the CCE & (A), Lucknow)

Date of Hearing: 27.04.2010
Date of Decision: 27.04.2010

1.M/s.Sitapur kimam Pvt.Ltd.
2.M/s.Khatri Tobacco Ind.Pvt.Ltd.

Appellant

Vs.

CCÉ, Lucknow

Respondent

Present for the Appellant: Shri Rajesh Chhibber, Advocate
Present for the Respondent: Shri Sunil Kumar & B.L.Soni, DRs

Coram:

**Hon'ble Dr.Chittaranjan Satapathy, Technical Member
Hon'ble Mr. D. N. Panda, Judicial Member**

final ORDER NO. 242-243/10-Ex

PER: DR.CHITTARANJAN SATAPATHY

Heard both sides. Learned Advocate appearing for the appellants fairly states that the issue in these appeals is similar to one as has been decided by the Tribunal in Appeal No.461/05 by Final Order No.1389/09 dated 1.12.2009 against the appellants. Accordingly, following the ratio of the said decision, we dismiss these appeals.

(Dr. CHITTARANJAN SATAPATHY)
TECHNIAL MEMBER

(D.N.PANDA)
JUDICIAL MEMBER

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