

GRAM : CEGCANAL

REGISTERED/A.D

THE CUSTOMS, EXCISE & GOLD (CONTROL) APPELLATE TRIBUNAL,

West Block No. 2, R.K. Puram, New Delhi - 110066.

BENCH NB(SM)

Appeal No. E/2067/00-NB(SM)

Dated : 8/1/2001.

CEGAT  
NEW DELHI  
To,

M/s Ispat Structural Pvt. Ltd.,

G.T. Road,

Khanna, (PB)

In the matter of :

M/s Ispat Structural Pvt. Ltd.,

Appellant

vs.

CCE Chandigarh

Respondent

I am directed to transmit herewith a certified copy of Final Order No. A/41/2001/NB(SM)  
Dated : 2-1-2001 passed by the Tribunal under Section 35-C(1) of Central Excise  
& Salt Act, 1944/Section 129 (B) of the Customs, Act, 1962.

Copy to :

Asstt. Registrar  
NB(SM)

1. CCE Chandigarh
2. CCE/CE/(Appeal) Chandigarh
3. Chief Commissioner of Central Excise / Customs: New Delhi
4. Adv. / Consult. Shri K.K. Anand, Adv.  
A-5, Basement, Lajpat Nagar-II,  
New Delhi - 24.
5. S.D.R
6. JCDR
7. Bar Association, CEGAT, New Delhi
8. Library, CEGAT, New Delhi
9. Director (Review), C.B.E.C. North Block, New Delhi
10. Guard File.
11. M/s Deeparchic Publications, M-93, Marg-46, Saket, New Delhi.
12. M/s Centax Publications (P) Ltd., 1512-E, Bhisim Pitamah Marg, opp. Sachdeva P.T. College of  
Defence Colony, New Delhi-110003
13. M/s Lex Site Com. Ltd., Mumbai
14. Office Copy
15. M/s cen - cus publication.

Asstt. Registrar

**In the Custom, Excise & Gold (Control) Appellate Tribunal  
New Delhi**

APPEAL NO. E/2067/00-NB(S) OF 19 (.....)

ARISING OUT OF ORDER IN ORIGINAL/APPEAL NO.

632/CE/CHD/2K ..... DATED 16.3.2000

PASSED BY Commissioner (Appeals), Central

Excise, Chandigarh.....

Date of decision 2.1.2001.....

M/s Ispat Structural P. Ltd.

..... APPELLANT (S)

Represented by Sh./Smt. ~~xxx~~ Sh. K.K. Anand, Adv. ....

**VERSUS**

CCE, Chandigarh

..... RESPONDENT (S)

Represented by Sh./Smt. ~~xxx~~ M.D. Singh, SDR.....

**CORAM :**

..... SHRI P.G. CHACKO, MEMBER (JUDICIAL) .....

To be referred to the Reporter or not ?

FINAL ORDER NO. A / 41 / 01 / NB (S) (M)

Per..... P.G. Chacko : .....

As per Order dated 10.10.2000, this Tribunal had directed the appellants to deposit the penalty amount within a period of six weeks from the date of

receipt of the order. The matter subsequently came up before the Bench on 26.12.2000. On that day, Ld. Advocate for the party appears to have explained the circumstances in which the amount could not be deposited within the stipulated period, <sup>and</sup> requested for extension of time for compliance with the direction for deposit of the amount. The Bench granted extension of time. Accordingly, the matter has come up today before the Bench. Today, Ld. Counsel submits that he is yet to receive any response from his clients to his advice for deposit.

2. Ld. SDR prays for rejecting the appeal for non-compliance with the provisions of Section 35F of the Central Excise Act.

3. In the aforesaid facts and circumstances, I am constrained to accept the plea of Ld. SDR. The appeal is, therefore, dismissed as not maintainable on account of non-compliance with the provisions of Section 35F of the Act. The appellants will, however, be at liberty to move the Tribunal for restoration of the appeal in accordance with law after compliance with the above provision of law..

(P.G. CHACKO)  
MEMBER (JUDICIAL)

\*\*RM\*\*