

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/1865/00/NB(sm)

Dated : 16/2/2001

CEGAT
NEW DELHI
To,

M/s Laxmi Steel Rolling Mills
GT Road
Khanna (Punjab)

In the matter of :

M/s Laxmi Steel Rolling Mills.

Appellant

vs.

CCE Chandigarh

Respondent

I am directed to transmit herewith a certified copy of Final Order No. A/271/01/NB(sm)
Dated : 9/2/2001.....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 :

Bu
Asstt. Registrar
NB(sm)

1. CCE Chandigarh
2. CCE/EE/ (Appeal) Chandigarh
3. Chief Commissioner of Central Excise / Customs. Chandigarh
4. Adv. / Consult. Sd. Balbir Singh, Adv
HNO 3015, sector 27D
Chandigarh
5. S.D.R. NB(sm)
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. Con-ens.

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Asstt. Registrar NB(sm)

CUSTOMS, EXCISE & GOLD(CONTROL) APPELLATE TRIBUNAL,
NEW DELHI.

E/APPEAL NO. 1865/00-NB(S)

(Arising out of Order-in-Original No.
IV(16)C.L./RR/358/T/97/PT/833 dated 29.2.2000 passed by
the Commissioner of Central Excise, Chandigarh).

M/s. Laxmi Steel Rolling Mills appellant
(Sh. Balbir Singh, Advocate)

vs

C.C.E., Chandigarh.

Respondent
(Sh. M.D. Singh, SDR)

FINAL ORDER NO. A/271/01/NB
(Dated the 9th Feb., 2001) CS/m

PER S.S. KANG :

Heard both sides.

In this case the annual capacity of appellants was provisionally determined under Rule 5 of Hot Rolling Steel Mills Annual Capacity Determination Rules, 1997. Thereafter, the annual capacity was determined finally vide impugned order. No opportunity of personal hearing was granted to the appellants before passing the present impugned order. Therefore, the impugned order, in respect of the appellants, is set aside and the Commissioner will pass a fresh order after affording an opportunity of personal hearing and after taking into consideration the Larger Bench Decision of the Tribunal reported in 2001 (127) E.L.T. 46. The appeal filed by the appellants is disposed of by way of remand. (Dictated in Court).

(S.S. KANG)
MEMBER (JJUDICIAL)

Dt. 09.02.2001
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