

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

Appeal No. ST/904 -905 & 658 /2010
ST/S/1795-96 & 1157/10 - CU[DB]
Assistant Registrar
C.E.S.T.A.T, New Delhi

Date 17/01/2011

To :
C.C.E. DELHI III

UDYOG MINAR, UDYOG VIHAR, VANIJYA NIKUNJ,
PHASE V, GURGAON - 122016 (HARYANA)
C.C.E. DELHI III

Appellant

Vs
Respondent

M/S ASHI CREATION PVT. LTD.

I am directed to transmit herewith a certified copy of **Final order No. ST/02-04**

2011 CU[DB] dated 27.12.10

passed by the Tribunal under **Section 129, (B) of the Customs Act, 1962 & Financial Act 1994 relating to Service Tax**

Alongwith Stay order No 12-14/11

[Signature]
Assistant Registrar

(Customs Appeal Branch)

Copy to :

1. Respondent
M/S ASHI CREATION PVT. LTD.
B-5, INFOCITY, SECTOR-34,
GURGAON (HARYANA)
2. Adv. / Consult
MR.R.S. SHARMA, ADV.,
C-9/9656, VASANT KUNJ, NEW
DELHI 110070
3. C.D.R
4. Bar association. CESTAT, New Delhi
5. Director Publications, Customs, Excise. I.P. Estate, New Delhi
6. M/s Centax Publications Pvt Ltd., 1512-B, Bhishm Pitamah marg, Opp. ICICI Bank of Defence Colony, New Delhi -
7. Company Law Institute of India Pvt Ltd., No.2(Old No. 36), Vaithyaram Street, T. Nagar, Chennai -17
8. M/s. Deeparchie Publications, M-93, Marg. 46, Saket, New Delhi 110017
9. Taxmann Allied Service Pvt Ltd., 59/32, New Rohtak Road, New Delhi - 110005
10. Easy Service Tax Online Dot Com Pvt.Ltd.407A, Iscon Mall, Above Star India Bazar, Satellite Road,
Ahmedabad-15
11. LAWCRUX Advisors Pvt Ltd, LAW House, 1-8, Sector - 10, Faridabad 121003 (Harvana)
12. TaxIndiaOnline.com Pvt Ltd., Unit No.1, 2nd Floor, Vasant Arcade, Nelson Mandela Road,
Vasant Kunj, New Delhi - 110070
13. Office Copy
14. Guard file

[Signature]
Assistant Registrar

(Customs Appeal Branch)

15. **M/S ASHI CREATION PVT. LTD.**
B-5, INFOCITY, SECTOR-34,
GURGAON (HARYANA)

P.T.O.

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

Date of Hearing: 27.12.2010
Date of decision: 27.12.2010

**Service Tax Stay Appn. No. ST/S/1795-1796/10 in
Service Tax Appeal No.ST/904-905/10**

CCE, Delhi-III ...Appellant

Vs.

M/s. Ashi Creations Pvt. Ltd. ... Respondent

Present for the Appellant :Shri.B.L. Soni, DR
Present for the Respondent:Shri.R.S. Sharma, Advocate

**Service Tax Stay Appn. No.ST/S/1157/2010 in
Service Tax Appeal No. ST/658/2010**

CCE, Meerut-I ...Appellant

Vs.

M/s. Birla Power Solutions Ltd. ... Respondent

Present for the Appellant :Shri K.K. Jaiswal, D.R.
Present for the Respondent:Shri.Rajesh Gupta, FCA

**Coram: Hon'ble Mr.D.N.Panda, Judicial Member
Hon'ble Mr. Rakesh Kumar, Technical Member**

Final **ORDER NO. ST/2 to 4/11** DATED: 27.12.2010
Stay order No ST/12 to 14/11
PER: D.N.PANDA

Both sides suggest that to resolve the dispute, ~~the~~
Revenue authority should allocate time for proper reconciliation
of the matter examining the basic record. If that process is
completed within reasonable time, there may not be further
grievance. Considering the submission ^{to be} fair, we reject the
stay applications of Revenue in all the cases and direct the
parties to appear before the Adjudicating Authority on 14th

Feb., 2011 and decide the time schedule to be followed ^{to redress} ~~on~~ the
grievance of both sides for amicably ^{settling} the issue before the
Original Authority. Consequently, all the appeals are allowed
by way of remand to the Original Authority.

[Dictated & Pronounced in the open Court].

(D.N.PANDA)
JUDICIAL MEMBER

(RAKESH KUMAR)
TECHNICAL MEMBER

Anita