

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

Appeal No. ST/285 /2010 - CU[DB]

Date 19/01/2011

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

To :
SHRI AYUB ALI PROPRIETOR OF M/S STAR
MAHARAJA CABLE NETWORK,
INSIDE OLD COURT, NEAR DUJOD GATE, SIKAR
(RAJ.)

Appellant

Vs
Respondent

C.C.E. JAIPUR I

2011 CU[DB] dated 19.01.11

I am directed to transmit herewith a certified copy of **Final order No. ST/07**

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


Assistant Registrar

(Customs Appeal Branch)

Copy to :

1. Respondent

C.C.E. JAIPUR I

N.C.R.BUILDING, STATUE
CIRCLE, "C" SCHEME, JAIPUR
302005.

2. Adv. / Consult

MR.ALOK KOTHARI

A-92, MANISH MARG, NEMI
NAGAR, GANDHI PATH,

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

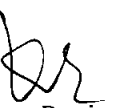
10. Easy Service Tax Online Dot Com Pvt.Ltd.407A, Iscon Mall, Above Star India Bazar, Satellite Road,
Ahmedabad-15

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


Assistant Registrar

(Customs Appeal Branch)

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

Service Tax Appeal No.ST/285/2010

(Arising out of Order-in-Appeal No.24/2009 dated 3.11.2009 passed
by the Commissioner of Customs& Central Excise (A),Jaipur-I)

Date of Hearing: 17.01.2011

Date of Decision: 17.01.2011

For approval and signature:

Hon'ble Mrs.Archana Wadhawa, Member (Judicial)

Hon'ble Mr.M.Veeraian 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?	No
2	Whether it should be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	No
3	Whether Their Lordships wish to see the fair copy of the Order?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

Shri Ayub Ali

Appellant

Vs.

CCE, Jaipur-I

Respondent

Present for the Appellant: Shri A.Kothari, Advocate

Present for the Respondent: Shri Amrish Jain, SDR

Coram: Hon'ble Mrs.Archana Wadhawa, Member (Judicial)

Hon'ble Mr.M.Veeraian, Member (Technical)

Final ORDER NO. ST/07/11

PER: ARCHANA WADHAWA

Vide stay order No.ST/215/10 dt.03.09.2010, the applicant
was directed to deposit of Rs.50 lakhs within six weeks from the date
of hearing as condition of hearing of their appeal.

2. On matter being heard for ascertaining compliance, learned Advocate appearing for the applicant submits that the directed amount has not been deposited till date. However, he submits that the stay order has been challenged by way of writ petition before the Hon'ble Rajasthan High Court (Jaipur Bench). He fairly agrees that there is no stay order against the said decision.

3. In view of the above, we dismiss the appeal for non compliance with the provisions of Section 35F of Central Excise Act, 1944 read with the conditions of stay order cited supra.

(Pronounced in the open court)

(ARCHANA WADHAWA)
MEMBER (JUDICIAL)

(M.VEERAIYAN)
MEMBER (TECHNICAL)

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