

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

Appeal No. ST/1018/2010 , ST/2012/10- CU[DB]

Date **08/02/2011**

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

To :
C.C.E. DELHI II
C.R. BUILDING, I.P. ESTATE, NEW DELHI 110002
C.C.E. DELHI II

Appellant

Vs
Respondent

M/S R.R.INDUSTRIES,

I am directed to transmit herewith a certified copy of **Final order No. ST/33**

2011 CU[DB] dated 01.02.11

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

Alongwith Stay Order No ST/41/11


Assistant Registrar
(Customs Appeal Branch)

Copy to :

1. Respondent
M/S R.R.INDUSTRIES,
B-129,MAYAPURI INDUSTRIAL
AREA, PHASE-I, NEW DELHI.
2. Adv. / Consult
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. 2, R.K. Puram,
NEW DELHI**

COURT No. II

2/
**ST/Application No. 2012/2010 in &
Service Tax appeal No. 1018/2010**

[Arising out of Order-in-Appeal No. 123/ST/D-II/2010 dated 25.3.2010
passed by the Commissioner (Appeals), Central Excise, New Delhi]

Date of hearing/decision: 31st January, 2011

CCE, Delhi-II

Appellant
Reptd. By Shri B.L. Soni, D.R.

Versus

M/s. R.R. Industries

Respondent
Rept. By Shri Rama Kant Mishra, Rep.

Coram: Hon'ble Shri D.N. Panda, Judicial Member;
Hon'ble Shri Mathew John, Technical Member

STAY ORDER NO. ST/41/11

Final order No. ST/33/11

Per D.N. Panda:

Revenue has come in appeal and stay application ^{is made} against first
appellate order resulting remand of matter for violation of natural justice.
We appreciate that violation of natural justice ^{is} curable at the appellate
stage. Therefore, we agree with his action proposing to grant fair

opportunity of defence before the adjudicating authority. Consequently, both stay application as well as appeal of Revenue ^{is} dismissed.

(Dictated & pronounced in the Open Court.)

(D.N. PANDA)
JUDICIAL MEMBER

(~~MATHEW~~JOHN)
TECHNICAL MEMBER

RK