

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

Appeal No. C/135 & 520 /2009 - CU[DB], C/S/693, 228/09, C/M/307, 684/09

Date **21/02/2011**

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

To :
AIRPORT AUTHORITY OF INDIA
THROUGH THE ASSISTANT GENERAL
MANAGER(COMML) RAJIV GANDHI BHAWAN,
SAFDARJUNG AIRPORT, N DELHI.
AIRPORT AUTHORITY OF INDIA

STAY ORDER NO.C/57-58/11

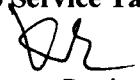
C.C. NEW DELHI (IMPORT & GENERAL) MISC.ORDER NO.C/22-23/11

Appellant

Vs

Respondent

I am directed to transmit herewith a certified copy of **Final order C/85-86/ 2011 CU[DB] dated 11.02.11**
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. NEW DELHI (IMPORT & GENERAL)
NEW CUSTOM HOUSE, NEAR
I.G.I. AIRPORT, NEW DELHI
110037.
2. Adv. / Consult MR. DIGVIJAY RAI,
B-31, LAJPAT NAGAR-I,
NEW DELHI - 24.
3. C.D.R
4. Bar association, CESTAT, New Delhi
5. Director Publications, Customs, Excise. I.P. Estate, New
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 -
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)

**IN THE CUSTOMS, EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, COURT NO. IV**

**Customs Appeal No. 135 and 520 of 2009
Customs Stay Application No. 693 and 228 of 2009
Customs Misc. Application No. 307 & 684 of 2009**

[Arising out of Order-in-Appeal No. CC(A)Cus./AIR/15/2009 dated 16.1.2009 and CC(A)Cus./AIR/61/2009 dated 19.3.2009 both passed by the Commissioner of Customs (Appeals), New Delhi]

For approval and signature:

Hon'ble Mr. Ashok Jindal, Member (Judicial)
Hon'ble Mr. Mathew John, 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?
 2. Whether it should be released under Rule 27 :
of the CESTAT (Procedure) Rules, 1982 for
publication in any authoritative report or not?
 3. Whether Their Lordships wish to see the fair :
copy of the Order?
 4. Whether Order is to be circulated to the :
Departmental authorities?
-

Airports Authority of India

Appellants

Vs.

Commissioner of Customs
New Delhi

Respondent

Appearance:

None for the Appellants

Shri Sonal Bajaj, DR for the Respondent

CORAM:

Hon'ble Mr. Ashok Jindal, Member (Judicial)
Hon'ble Mr. Mathew John, Member (Technical)

M.O. No. C/22-23/11 Date of Hearing/decision : 11.02.2011

Final ORAL ORDER NO. C/25-26/11
S.O. No. C/57-58/11

Per Ashok Jindal (for the Bench)::

Appellants, Airport Authority of India (PSU) has filed these appeals along with the stay applications and Misc. applications for stay of impugned orders passed by the Commissioner (Appeals).

2. None appeared on behalf of the appellants nor any request for adjournment has been received which shows that the appellants have nothing to say in their defence. As held by the Hon'ble Apex Court in the case of ONGC, to file the appeal before this Tribunal, a clearance from the Committee on Disputes is required in the case of Public ~~Section~~ Undertakings, which the appellants have failed to obtain till date. We, further find that these appeals are filed in February, 2009 and till date no clearance has been obtained from Committee on Disputes. Hence, the appeals are dismissed for want of clearance from Committee on Disputes with liberty to the appellants to come up before this Tribunal as and when they obtain such clearance from Committee on Disputes. Stay applications and Misc. applications are also disposed of in the above terms.

(Ashok Jindal)
Member(Judicial)

(Mathew John)
Member(Technical)