

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

Appeal No. C/569 /2011 - CU[DB], C/STAY/3092/2011

Date 03/01/2012

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

To :
M/S DHAKANE & CO.

25 & 30, 2ND FLOOR, KHANDAKE BUILDING,
282 SHAHEED BHAGAT SINGH ROAD, FORT,
MUMBAI 400001

M/S DHAKANE & CO.

Appellant

Vs

Respondent

C.C. (ICD) NEW DELHI

STAY ORDER NO.C/493/2011

I am directed to transmit herewith a certified copy of **Final order No.C/555/ 2011 CU[DB]** dated 26.12.2011
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. (ICD) NEW DELHI
ICD, TUGHLAKABAD,
NEW DELHI 110020.

2. Adv. / Consult

MR.O.P.KHANDUJA,ADV

103,SIR VITHALDAS CHAMBERS,
16, MUMBAI SAMACHAR MARG, FORT, MUMBAI.

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. Taxinann Allied Service Pvt Ltd., 59/32, New Rohtak Road, New Delhi - 110005

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

10. LAWCRUX Advisors Pvt Ltd, LAW House,1-8.Sector - 10, Faridabad 121003 (Harvana)

11. TaxIndiaOnline.com Pvt Ltd., Unit No.1, 2nd Floor,Vasant Arcade,Nelson Mandela Road,
Vasant Kunj, New Delhi - 110070

12. Office Copy

13. 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

Court No.3

C/Stay/3092/2011 in Appeal No.C/569/2011-Cus

Date of Hearing/decision: 13.12.2011

(Arising out of Order-in-Original No.08/2010 dt.29.05.11 passed by
the Commissioner of Customs, New Delhi.)

For approval and signature:

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

Hon'ble Mr.Rakesh Kumar, 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

M/s.Dhakane & Co.
Vs

Appellant

CC, New Delhi

Respondent

Present for the Appellant: Shri O.P.Khanduja, Advocate

Present for the Respondent: Shri K.P.Singh, DR

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

Hon'ble Mr.Rakesh Kumar, Member (Technical)

Final ORDER NO. C/555/11

Stay order No.C/493/11

PER: ARCHANA WADHWA

After dispensing with condition of pre-deposit of penalty,
we proceed to decide the appeal itself, inasmuch as we find that the
impugned order already stands set aside and the matter remanded
to the adjudicating authority for fresh decision, while passing the

- order in the other appellants involved in the present impugned order, vide Final order No.384-393/11 dt.29.08.11.

2. Accordingly, we after allowing the stay petition, remand the matter to the original authority for fresh decision alongwith earlier remanded matters.

3. The stay petition as also appeal gets disposed of in the above terms.

(Pronounced in the open court)

(ARCHANA WADHWA)
MEMBER (JUDICIAL)

(RAKESH KUMAR)
MEMBER (TECHNICAL)

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