

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

Appeal No. E/2602/2010-2605/2010 - EX[DB] WITH
E/S/ 2370-2373/10-EX
Assistant Registrar
C.E.S.T.A.T, New Delhi

Date 12/01/2011

To :
C.C.E. MEERUT I
EXCISE CHOWK, OPPOSITE CHOUDHARY CHARAN
SINGH UNIVERSITY MANGAL PANDAY NAGAR,
MEERUT - 250005.
C.C.E. MEERUT I

Appellant

Vs

Respondent

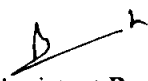
M/S BARNALA STEEL INDS. LTD.

STAY ORDER NO.10-13/2011-EX

I am directed to transmit herewith a certified copy of Final order No. 06-09/
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

2011

EX[DB] dated 07-1-11


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

M/S BARNALA STEEL INDS. LTD.
VILLAGE-VEHELENA,
MUZAFFARNAGAR,
DISTT. MUZAFFARNAGAR.

2. Adv. / Consult

SH. ALOK ARORA, ADV.,
82, MISSION COMPOUND, SAHARANPUR - 247001 (UP)

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

15. SHRI AHMED KHAN, DIRECTOR
M/S BARNALA STEEL INDS. LTD. VILLAGE-
VEHELENA, MUZAFFARNAGAR


Assistant Registrar
(Excise Appeal Branch)

P.T.O.-2

16. SHRI HAMID MUSTAFA, DIRECTOR
M/S BARNALA STEEL INDS. LTD. VILLAGE-
VEHELENA, MUZAFFARNAGAR
17. SHRI SAJID MIAN NASIR, DIRECTOR
M/S BARNALA STEEL INDS. LTD. VILLAGE-
VEHELENA, MUZAFFARNAGAR

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
NEW DELHI

COURT NO. II

**Excise Stay No. 2370-2373 of 2010-Ex. in Excise Appeal No.
2602-2605 of 2010-Ex.**

(Arising out of Order-in-Appeal No.17-20-CE/MRT/2009-10 dated
28.4.2010 passed by the Commissioner (Appeals), Central Excise,
Meerut-I)

CCE, Meerut-I

Appellant

Vs.

M/s Barnala Steel Industries Ltd.

Respondent

Appearance

Appeared for Appellant : Shri I. Baig, DR

Appeared for Respondent : Shri Alok Arora, Advocate Proxy

Date of Hearing: 4.1.2011

CORAM: HON'BLE MR. D.N. PANDA, JUDICIAL MEMBER
HON'BLE MR. MATHEW JOHN, TECHNICAL MEMBER

STAY Order No. 10-13/2011-EX dated.....

FINAL Order No. 06-09/11-EX

Per D.N. Panda :

Revenue has come in appeal on the ground that the first
appellate authority should not have remanded the matter. We have
examined the matter and guided by other side to appreciate that

violation of natural justice is incurable. While we appreciate that the issue goes to the root of the matter, we consider it proper that the original authority shall ^{do do} do well justice to both the sides. ~~Without~~ dilating the matter ^{further} ~~and consequently~~ the stay application of Revenue is dismissed and ^{we} remand the matter to the original authority for appropriate adjudication, granting fair opportunity of hearing to the respondent and shall pass a speaking and reasonable order.

(Dictated & pronounced in open Court)

(D.N. PANDA)
JUDICIAL MEMBER

(MATHEW JOHN)
TECHNICAL MEMBER

RM