

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

Appeal No. E/3052,3054 & 3056/2010 - EX[DB]& E/S/2827,2829&2832/2010-EX Date 11/01/2011

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

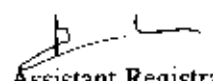
To :
M/S THE OUDH SUGAR MILLS LTD.,
HARGAON, SITAPUR (U.P.)
M/S THE OUDH SUGAR MILLS LTD.,

Appellant
Vs
Respondent

C.C.E. LUCKNOW

STAY ORDER NO. 16-18/2011-EX

I am directed to transmit herewith a certified copy of Final order No. 10-12 / 2011 EX[DB] dated 07-1-11
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

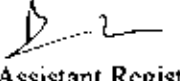

Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent
C.C.E. LUCKNOW
7-A, ASHOK MARG, LUCKNOW.

2. Adv. / Consult
MR. RAJESH CHHIBBER
FA/9, NEW KAVI NAGAR,
GHAZIABAD

3. C.D.R
4. Bar association. CESTAT, New Delhi
5. Director Publications, Customs, Excise. 1.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
(Excise Appeal Branch)

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
NEW DELHI

COURT NO. II

**Excise Stay No. 2827, 2829 and 2832 of 2010-Ex. & Excise
Appeal No. 3052, 3054 and 3056 of 2010-Ex.**

(Arising out of Order-in-Appeal No. 145-CE/LKO/2010 dated
19.7.2010 passed by the Commissioner (Appeals), Central Excise,
Lucknow)

M/s The Oudh Sugar Mills Ltd.

Appellant

Vs.

CCE, Lucknow

Respondent

Appearance

Appeared for Appellant : Shri Rajesh Chhibber, Advocate

Appeared for Respondent : Shri S.K. Panda, Jt. CDR

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. 16-18/2011-EX dated.....
FINAL Order No. 10-12/11-EX
Per D.N. Panda :

We have heard both sides. While appellant raises grievance
of violation of natural justice, Id. Jt. CDR submits that appropriate
order was passed by the Id. Commissioner (Appeals). We are not
given to understand about the total implication of Revenue in all the

three appeals while violation of natural justice is contention of appellant. Therefore without keeping the matter pending in Tribunal, we send back the matter to the Id. Appellate Authority to hear the appellant on the pre-deposit issue itself.

2. The appellant shall appear before the Id. Commissioner on 25.1.2011 and make an application for fixing the date of hearing. That authority shall fix such date and appellant shall take notice for appearance without seeking any adjournment. On the date so fixed, the matter shall be heard by appellate authority and appropriate order be passed. In the result, the stay applications are disposed and appeals are remanded to the Id. appellate authority to pass appropriate order in accordance with law depending on the terms of stay order he may pass.

(Dictated & pronounced in open Court)

(D.N. PANDA)
JUDICIAL MEMBER

(MATHEW JOHN)
TECHNICAL MEMBER

RM