

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

Appeal No. E/1647/2010 - EX[DB] & F/S/1645/2010-EX

Date 11/01/2011

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

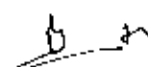
To :
M/S NEO CORP INTERNATIONAL LTD.
INDUSTRIAL AREA,
SECTOR-I, PITHAMPUR, DISTT. DHAR, (M.P.)
M/S NEO CORP INTERNATIONAL LTD.

Appellant
Vs
Respondent
dated 06-1-11

C.C.E. INDORE

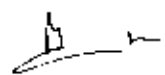
STAY ORDER NO.19/2011-EX

I am directed to transmit herewith a certified copy of Final order No. 13/2011-EX(DB)
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. INDORE
MANIK BAGH PALACE, POST
BOX NO. 10, INDORE 452001 (M.P.)
2. Adv. / Consult
MR.BIPIN GARG
B-1/1289,A-VASANT KUNJ, NEW
DELHI
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, Bhishun 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. 1645 of 2010-Ex. and Excise Appeal No.
1647 of 2010-Ex.**

(Arising out of Order-in-Original No. 05/Commr/CEX/IND/2010
dated 19.3.2010 passed by the Commissioner, Central Excise,
Indore)

M/s Neo Corp. International Ltd.

Appellant

Vs.

CCE, Indore

Respondent

Appearance

Appeared for Appellant : Shri Bipin Garg, Advocate

Appeared for Respondent : Shri N. Anand, DR

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. 19/2011-EX dated.....

FINAL ORDER No 13/2011-EX

Per D.N. Panda :

Grievance of the Appellant is that on the last occasion of hearing i.e.
on 4.3.10 failure on the appellant ^{to appear from} prevented justice. However, all the
materials are available on record. We have gone through para-12 of the
order, where the Id. Commissioner (Appeals) ^{was} prevented to complete

adjudication considering entire material, if any. To do justice to both sides, we direct the Appellant to make deposit of Rs.10.00 lakhs (Rupees Ten Lakhs) following the judgement of Hon'ble Punjab & Haryana High Court in the case of **Shiv Sewa Sadan Vs. CESTAT, New Delhi** reported in 2010 (254) ELT 249 (P&H) within four weeks and produce the challan before the Id. Adjudicating Authority on **10th Feb. 2011** and also make an application for fixing the date of hearing. Once the application is submitted, Id. Authority upon verification of the challan shall fix the date of hearing. The Appellant shall not seek adjournment unless otherwise warranted on reasonable causes. The Appellant shall submit entire set of documents within one month of date of fixing of hearing so that the Id. Commissioner shall fix another date *of for* personal hearing and argument. Entire exercise is expected to be completed by **30th April 2011**. In view of the aforesaid direction, we dispose both stay application and appeal remanding the matter to the Id. Adjudicating Authority.

(Dictated & pronounced in open Court)

(D.N. PANDA)
JUDICIAL MEMBER

(MATHEW JOHN)
TECHNICAL MEMBER

RM