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

Appeal No. E/901 /2010-902 /2010 - EX[DB] WITH E/STAY/962-963/2010-EX[DB] Date 02/02/2011

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

To :  
M/S. ANNAKUT BISCUITS CO. PVT. LTD.

54-A, VIVEKANAND NAGAR, KANPUR.

208022

M/S. ANNAKUT BISCUITS CO. PVT. LTD.

Appellant

Vs

Respondent

C.C.E. KANPUR

I am directed to transmit herewith a certified copy of Final order No. 154-155/2011 EX[DB] dated  
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944 S.O. 175-176/2011-EX[DB]

Assistant Registrar

(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. KANPUR

117/7, SARVODAYA NAGAR,  
KANPUR 208005.

2. Adv. / Consult

*Shri A. K. Monga, Co. Rep.  
of Appellants.*

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. Deeparchic 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 (Haryana)

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)

SHRI NAVEEN KHANNA, DIRECTOR  
M/S. ANNAKUT BISCUITS CO. PVT.  
LTD. 54-A, VIVEKANAND NAGAR,

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL  
NEW DELHI

COURT NO. II

**Excise Stay No. 962-963 of 2010 & Excise Appeal No. 901-902 of 2010**

(Arising out of Order-in-Appeal No. 68-69/CE/AppI/KNP/2010 dated 4.2.2010 passed by the Commissioner of Central Excise (Appeals), Kanpur)

M/s Annakut Biscuit Co. Pvt. Ltd.  
Shri Naveen Khanna, Director

Appellants

Vs.

CCE, Kanpur

Respondent

**Appearance**

Appeared for Appellant : Shri R.K. Monga, Co. Rep.

Appeared for Respondent : Ms. Rimjhim Prasad, DR

**Date of Hearing: 10.1.2011**

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

FINAL Order No. 154-155/2011-EX dated.....  
STAY Order No 175-176/2011-EX

Per D.N. Panda :

This appeal has come from Commissionerate where the case of M/s Swati Biscuit Mfg. Co. in Appeal No. 1150 of 2010 is pending

in terms of order dated 1.9.2010 of this Tribunal. We have gone through the order passed by Court No. 1, we are of the view that since the adjudicating authority is looking into the matter in a bunch of case, ..... dispensing pre-deposit in this case, this matter is also remanded to the Id. Adjudicating authority to decide the issue afresh. Consequently, both stay applications and appeals are disposed of in the above terms.

(Dictated & pronounced in open Court)

(D.N. PANDA)  
JUDICIAL MEMBER

(MATHEW JOHN)  
TECHNICAL MEMBER

RM