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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/702 /2009 - EX[DB] WITH E/S/696/09-EX

Date 07/02/2011

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

To :
M/S BHARAT SANCHAR NIGAM LTD
O/O THE TELECOM DISTRICT MANAGER(T.D.M)
SAWAI MADHOPUR, RAJASTHAN
M/S BHARAT SANCHAR NIGAM LTD

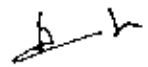
Appellant
Vs
Respondent

C.C.E. JAIPUR I

STAY ORDER NO.218/2011-EX

I am directed to transmit herewith a certified copy of Final order No. 162/ 2011
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

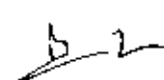
EX[DB] dated 31-1-11


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent
C.C.E. JAIPUR I
N.C.R.BUILDING, STATUE
CIRCLE, "C" SCHEME, JAIPUR
302005.
2. Adv. / Consult
MR.RAJIV TYAGI & ASSOCIATES
L-29 KAILSAH COLONY, N DELHI-48

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


Assistant Registrar
(Excise Appeal Branch)

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
NEW DELHI

COURT NO. II

Excise Stay No. 696 of 2009 & Excise Appeal No. 702 of 2009

(Arising out of Order-in-Appeal No. 35/2008(ST) Comm. dated
16.12.08 passed by the Commissioner of Central Excise, Jaipur)

M/s Bharat Sanchar Nigam Ltd.

Appellant

Vs.

CCE, Rajasthan

Respondent

Appearance

Appeared for Appellant : Ms. Chanchal Biswas, Advocate

Appeared for Respondent : Shri S.R. Meena, DR

Date of Hearing: 10.1.2011

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

STAY Order No. 2187/2011-EX dated.....
FINAL Order No. 162/2011-EX

Per D.N. Panda :

Ld. Counsel submits that original documents are available with BSNL to satisfy the authority about its claim. Accordingly, we consider that dispensing the stay application, keeping the appeal pending shall serve no useful purpose especially ^{when} BSNL is a Public Sector Undertaking. We dispense requirement of pre-deposit on the peculiar circumstance of the case and direct the appellant to appear before the adjudicating authority on or before **24.2.2011**

and make application for fixation of date of hearing. On the date fixed, the appellant shall not seek adjournment but shall satisfy the authority about its claim. Failure to appear on the part of the appellant shall *result in passing* an ex parte order and the matter shall be decided on its merits by a reasoned and speaking order. Consequently, appeal is remanded to the Id. Adjudicating authority to pass fresh order.

(Dictated & pronounced in open Court)

(D.N. PANDA)
JUDICIAL MEMBER

(MATHEW JOHN)
TECHNICAL MEMBER

RM