

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

Appeal No. E/732 /2006 - EX[DB]

Date 13/06/2011

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

To :
HCL OFFICE AUTOMATION LTD.
HCL OFFICE AUTOMATION LTD.F-7, SECTOR-II,
NOIDA
201301

HCL OFFICE AUTOMATION LTD.

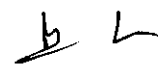
Appellant

CCE-MEERUT-I

Vs
Respondent

I am directed to transmit herewith a certified copy of **Final order No.472/**
passed by the Tribunal under **Section 35-C(1) of Central Excises Act, 1944**

2011 EX[DB] dated 07-6-11


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

CCE-MEERUT-I
~~CCE-MEERUT-I~~

2. Adv. / Consult

*SH. R. KRISHNAN, ADV.,
297-E, POCKET-II,
MAYUR VIHAR (PHASE-I),
DELHI-91*

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. Taxmann Allied Service Pvt Ltd., 59/32, New Rohtak Road, New Delhi - 110005

9. Easy Service Tax Online Dot Com Pvt.Ltd.407A, Iscon Mall, Above Star India Bazar, Satellite Road,
Ahmedabad-15

10. LAWCRUX Advisors Pvt Ltd. LAW House.1-8.Sector - 10, Faridabad 121003 (Harvana)

11. TaxIndiaOnline.com Pvt Ltd., Unit No.1, 2nd Floor, Vasant Arcade, Nelson Mandela Road,
Vasant Kunj, New Delhi - 110070

12. Office Copy

13. Guard file

14. HON'BLE PRESIDENT.


Assistant Registrar
(Excise Appeal Branch)

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
West Block No. 2, R.K. Puram, New Delhi – 110 066.
Principal Bench, New Delhi**

COURT NO. I

DATE OF HEARING : 07/06/2011.

DATE OF DECISION : 07/06/2011.

Excise Appeal No. 732 of 2006

[Arising out of the Order-in-Appeal No. 213/CE/MRT/2005 dated 06/12/2005 passed by The Commissioner (Appeals), Customs & Central Excise, Meerut – I.]

For Approval and signature :

Hon'ble Shri Justice R.M.S. Khandeparkar, President

Hon'ble Shri Rakesh Kumar, Member (Technical)

- | | |
|---|--------------|
| 1. Whether Press Reporters may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982? | : <i>Yes</i> |
| 2. Whether it would be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not? | : <i>No</i> |
| 3. Whether their Lordships wish to see the fair copy of the order? | : <i>See</i> |
| 4. Whether order is to be circulated to the Department Authorities? | : <i>Yes</i> |

M/s HCL Office Automation Ltd.

Appellants

Versus

CCE, Meerut – I

Respondent

Appearance

Shri R. Krishnan, Advocate – for the Appellants.

Shri S.R. Meena, Authorized Representative (DR) – for the Respondent.

CORAM : **Hon'ble Shri Justice R.M.S. Khandeparkar, President**
Hon'ble Shri Rakesh Kumar, Member (Technical)

FINAL Order No. 472/2011-EX Dated : 07.06.2011

Per. Shri Justice R.M.S. Khandeparkar :-

Learned advocate for the appellants states that the order which is sought to be challenged in the present appeal relates to the remand of the matter to the lower authority to ascertain applicability of the principles of unjust enrichment. During the pendency of this appeal, the lower authority, pursuant to the remand and in the absence of stay order, proceeded to dispose of the proceedings and even the appeal against the same has been disposed of by the Commissioner (Appeals) and the matter is presently pending before the Tribunal in an appeal against such order and consequently the present appeal has been rendered infructuous. The learned advocate therefore craves leave to withdraw the present appeal. The appeal is therefore allowed to be withdrawn and stands disposed of accordingly.

(Justice R.M.S. Khandeparkar)
President

(Rakesh Kumar)
Member (Technical)

PK