

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

Appeal No. E/3420/2010 - EX[DB] WITH E/S/3213/2010-EX

Date 07/07/2011

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

To :
M/S DWARIKADHISH SPINNERS (P) LTD.,
SHAMKEN HOUSE, MOHAN CO-OPERATIVE
INDUSTRIAL ESTATE, MATHURA ROAD, NEW
DELHI.
M/S DWARIKADHISH SPINNERS (P) LTD.,

Appellant
Vs
Respondent

C.C.E. CHANDIGARH

STAY ORDER NO. 677/2011-EX

I am directed to transmit herewith a certified copy of **Final order No.504/ 2011 EX[DB]** dated 13-6-11
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. CHANDIGARH
C.R. BUILDING, PLOT NO. 19,
SECTOR 17-C, CHANDIGARH
160017

2. Adv. / Consult

MR.SAURABH KAPOOR, ADVOCATE
11-YADVINDRA COLONY, THE MALL, PATIALA 147001

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

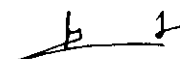
10. LAWCRUX Advisors Pvt Ltd, LAW House, 1-8, Sector - 10, Faridabad 121003 (Harvana)

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 : 13/06/2011.

DATE OF DECISION : 13/06/2011.

**Excise Stay Application No. 3213 of 2010 and Appeal No.
3420 of 2010**

M/s Dwarikadhish Spinners Pvt. Ltd.

Appellants

Versus

CCE, Chandigarh

Respondent

Appearance

Shri Saurabh Kapoor, Advocate - for the Appellants.

Shri I. Beg, Authorized Representative (DR) - for the
Respondent.

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

STAY Order No. 677/2011-EX
FINAL Order No. 504/2011-EX Dated : _____

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

The learned advocate for the appellants states that the department had issued demand without adjudication and, therefore, initially matter was sought to be challenged by way of appeal, however, the department thereafter issued show cause notice dated 25/03/2008 and the same had been adjudicated upon by the Commissioner (Appeals) by his order dated 17th March 2011. The appellants are required to challenge the said

order. In view of the subsequent facts, the present ^{appeal}~~order~~ is rendered infructuous and, therefore, the appellants crave leave to withdraw the same. Copy of the order dated 17th March 2011 is placed on record. Appeal is accordingly allowed to be withdrawn and disposed of, as stated above, alongwith the application of stay.

(Justice R.M.S. Khandeparkar)
President

(Rakesh Kumar)
Member (Technical)

PK