

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

Date 10/05/2011

Appeal No. E/849 /2009 - EX[DB]

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

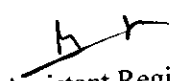
To :
M/S UNIWORTH TEXTILES LTD.,
PLOT NO. 923-945, URLA INDUSTRIAL ESTATE,
RAIPUR (C.G.)-493221
M/S UNIWORTH TEXTILES LTD.,

Appellant
Vs
Respondent

C.C.E. RAIPUR

2011 EX[DB] dated 04-5-11

I am directed to transmit herewith a certified copy of Final order No.414/
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. RAIPUR
CENTRAL EXCISE BUILDING,
DHAMTARI ROAD, TIKRAPARA,
RAIPUR 492001.

2. Adv. / Consult

SH. S.P. KAMRA, ADV, UP
RUPESH KUMAR
131, LAWYER CHAMBER
SUPREME COURT OF INDIA
N. DELHI - 1

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

**CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL,
WEST BLOCK NO.II, R.K. PURAM,
NEW DELHI-110066**

COURT NO. II

Excise Appeal No. 849 of 2009-Ex

[Arising out of Order-in-Original No. Commissioner/RPR/De-Novo/112/2008 dated 30.12.2008 passed by the Commissioner of Customs & Central Excise, Raipur].

Date of Hearing/decision: 2nd May, 2011

For approval and signature:

Hon'ble Shri D.N. Panda, Judicial Member;
Hon'ble Shri Mathew John, Technical Member

1	Whether Press Reporters may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	Yes
2	Whether it should be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	No
3	Whether Their Lordships wish to see the fair copy of the Order?	See
4	Whether Order is to be circulated to the Departmental authorities?	No

M/s. Uniworth Textiles Ltd.,

Appellants

Vs.

C.C., New Delhi

Respondent

Present for the Appellant : Shri S.P. Kamra, Advocate
Present for the Respondent : Shri N. Anand, D.R.

**Coram: Hon'ble Shri D.N. Panda, Judicial Member
Hon'ble Shri Mathew John, Technical Member**

FINAL ORDER NO. 414 / 2011-EX DATED

Per D.N. Panda:

Learned Counsel submits that against the interim order passed by the Tribunal the appellants had marched to the higher

court and ultimately they could get relief of extension of time by 6 weeks from 24th January, 2011 by an order passed by the Apex Court in SLP (Civil) No. 1087/2011. He further submits that his client being a sick company was unable to comply with the order passed by the Apex Court. However, there is no further suggestion by the appellants as to how they shall comply with the order of the Apex Court. In absence of any suggestion we have no other option but to dismiss the appeal since right of appeal is conditional and subject to making of pre-deposit. We order accordingly.

(Dictated & pronounced in the Open Court.)

(D.N. PANDA)
JUDICIAL MEMBER

(MATHEW JOHN)
TECHNICAL MEMBER

RK