

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

Appeal No. E/55 /2011 - EX[DB] WITH E/S/70/2011-EX

Date 25/05/2011

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

To :
M/S SARDA ENERGY & MINERALS LIMITED.,
INDUSTRIAL GROWTH CENTRE, SILTARA DISTT.
RAIPUR, CHHATTISGARH.
493111

M/S SARDA ENERGY & MINERALS LIMITED.,

Appellant

Vs

Respondent

C.C.E. RAIPUR

STAY ORDER NO. 560/2011-EX

I am directed to transmit herewith a certified copy of Final order No.434/ 2011 EX[DB] dated 19-5-11
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

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Assistant Registrar

(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. RAIPUR

CENTRAL EXCISE BUILDING,
DHAMTARI ROAD, TIKRAPARA,
RAIPUR 492001.

2. Adv. / Consult

MR.V. LAXMIKUMARAN

B-6/10, SAFDARJUNG ENCLAVE, NEW DELHI-110029

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

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ASSISTANT REGISTRAR
(EX APPEAL BRANCH)

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

Date of Hearing : 13.5.2011

**Excise Stay No. 70 of 2011 and Excise Appeal No. 55 of
2011**

[Arising out of Order-in-Original No. Commissioner/RPR/53/2010 dated 30.9.2010 passed by the Commissioner of Central Excise, Raipur]

Coram:

Hon'ble Shri D.N. Panda, Judicial Member

Hon'ble Shri Mathew John, Technical Member

1.	Whether Press Reporter may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	
2.	Whether it would be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	
3.	Whether their Lordships wish to see the fair copy of the order?	
4.	Whether order is to be circulated to the Department Authorities?	

M/s Sarda Energy & Minerals Ltd.

Appellant

Vs.

CCE, Raipur

Respondent

Appearance:

Appeared for Appellant : Shri B.L. Narasimhan, Advocate

Appeared for Respondent : Shri B.K. Singh, Jt. CDR

Coram:

Hon'ble Shri D.N. Panda, Judicial Member

Hon'ble Shri Mathew John, Technical Member

FINAL Order No. 434 / 2011-EX. dated.....
STAY Order No. 566 / 2011-EX.

Per D.N. Panda :

Ld. Counsel says that they made an Application before the appropriate Authority in accordance with the provisions of Section

73 of Finance Act, 2010 for which they prayed that this matter may go to the Authority for appropriate consideration of the Application. When the averment above is made, without expressing any opinion of the matter, we dispose the matter as infructuous and Appeal is remanded to the Adjudicating Authority for consideration of the matter along with the application as aforesaid.

(Dictated & pronounced in open Court)

(D.N. Panda)
Judicial Member

(Mathew John)
Technical Member

RM