

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

Appeal No. E/2656/2005-2659/2005 - EX[DB]

Date 25/07/2011

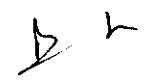
Assistant Registrar
C.E.S.T.A.T, New Delhi

To :
C.C.E. JAIPUR II
N.C.R.BUILDING, STATUE CIRCLE, "C" SCHEME,
JAIPUR 302005.
C.C.E. JAIPUR II

Appellant
Vs
Respondent

M/S RIVONA INDUSTRIES LTD.

I am directed to transmit herewith a certified copy of **Final order No.616-619/ 2011 EX[DB]** dated 21-7-11
passed by the Tribunal under **Section 35-C(1) of Central Excises Act, 1944**


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent
M/S RIVONA INDUSTRIES LTD.
7/7 JODHANA INDUSTRIAL
ESTATE, BASNI, JODHPUR
2. Adv. / Consult

NONE
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. *SH. Y. K. AGRAWAL, M. D.*
M/S RIVONA INDUSTRIES LTD.
7/7 JODHANA INDUSTRIAL ESTATE, BASNI, JODHPUR


Assistant Registrar
(Excise Appeal Branch)

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL,

West Block No.2, R.K.Puram, New Delhi

COURT-I

Date of hearing/decision: 20.07 .2011

Central Excise Appeal No.2656, 2657, 2658, 2659 of 2005

Arising out of the order in appeal No.248-251(RM)CE/JPR-II/2005 dated 13.5.2005 passed by the Commissioner (Appeals II) ,Customs & Central Excise, Jaipur.

For Approval and Signature:

Hon'ble Dr. Chittaranjan Satapathy, Technical Member
Hon'ble Shri M.V. Ravindran, Judicial Member

1	Whether Press Reporter may be allowed to see the Order for publication as per Rule 26 of the CESTAT (Procedure) Rules, 1982?	Yes
2	Whether it should be released under Rule 26 of CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	Yes
3	Whether their Lordships wish to see the fair copy of the Order?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

C.C.E., Jaipur II

..

Appellant

Vs.

Rivona Industries Limited
Shri Y.K. Agrawal, Managing Director

....

Respondents

Appearance:

Shri K.P. Singh, Authorized Departmental Representative (DR) for the Revenue

None for the respondents

Coram: Hon'ble Dr. Chittaranjan Satapathy, Technical Member
Hon'ble Shri M.V. Ravindran, Judicial Member

FINAL Oral Order No. 616-619/2011-EX

Per Dr. C. Satapathy:

Heard the learned DR Shri K.P. Singh, who supports the grounds of appeal. No one is present on behalf of the respondents despite notice. There is also no adjournment request. As such, the grounds advanced by the Department remain uncontroverted by the respondents. We are of the view that the said grounds require to be considered and the matter ^{requires to be re-} decided by the lower appellate authority. Accordingly, we set aside the impugned order and remand the matter for fresh decision to the lower appellate authority. He shall give a reasonable opportunity of hearing to both sides before passing fresh orders. Appeals are allowed by way of remand.

(Dr. C. Satapathy)
Technical Member

(M.V. Ravindran)
Judicial Member

scd/