

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

Appeal No. E/620 /2010-621 /2010,665 /2010-666 /2010 - EX[DB]

Date 15/09/2011

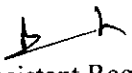
Assistant Registrar
C.E.S.T.A.T, New Delhi

To :
M/S HERCULES INDUSTRIES,
GP-37, HSIDC, SECTOR-18, GURGAON. (HARYANA)
M/S HERCULES INDUSTRIES,

Appellant
Vs
Respondent

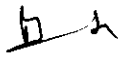
C.C.E. DELHI III

I am directed to transmit herewith a certified copy of **Final order No.794-797/ 2011 EX[DB]** dated 13-9-11
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. DELHI III
UDYOG MINAR, UDYOG VIHAR,
VANIJYA NIKUNJ, PHASE V,
GURGAON - 122016 (HARYANA)
2. Adv. / Consult *SH. R.K. HASIJA, ADV,*
NO VAKALATNAMA IN THE FILE.
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


Assistant Registrar
(Excise Appeal Branch)

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
West Block No.2, R. K. Puram, New Delhi.
Court No. 1

Date of hearing/decision: 13.09.2011

For approval and signature:

Hon'ble Ms. Jyoti Balasundaram, Vice-President
Hon'ble Sh. Mathew John, 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.	No
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?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

Excise Appeal Nos. 620-621, 665-666 of 2010

[Arising out of order-in-original No. 357-360/MA/GGN/2009 dated 20.11.2009 passed by the Commissioner of Central Excise (Appeals), Delhi-III, Gurgaon]

M/s Hercules Industries

Appellants

Vs.

CCE, Delhi-III

Respondent

Appearance:

Rep. by Sh. R.K. Hasija, Advocate for the appellants.

Rep. by Sh. K. P. Singh, DR for the respondent.

Coram: Hon'ble Ms. Jyoti Balasundaram, Vice-President
Hon'ble Sh. Mathew John, Member (Technical)

FINAL ORAL ORDER NO. 794-797/2011-EX

Per: Jyoti Balasundaram:

There is no proof of compliance ^{with} to the requirement of pre-deposit of balance amount of 75% of the duty as directed by the stay order No.968-971/10-Ex dated 19.11.2010. The deposit was to be made on or before 14.02.2011. We therefore, see no reason to keep these appeals pending and dismiss the same with the statutory requirement of Section 35F of the Central Excise Act, 1944.

(Jyoti Balasundaram)
Vice-President

(Mathew John)
Member (Technical)

Pant