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CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL

PRINCIPAL BENCH, WEST BLOCK No.2, R.K.PURAM, NEW DELHI - 110066

EXCISE APPEAL BRANCH

Date **19/09/2011**

Appeal No. E/186 /2010-187 /2010 - EX[DB]

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

To :
M/S RANJIT ENGINEERING WORKSHOP,
116/1, MASOODABAD, DLF, NEAR CHARA MANDI,
NAJAFGARH, NEW DELHI.

M/S RANJIT ENGINEERING WORKSHOP, Appellant

Vs

C.C.E. DELHI II Respondent

I am directed to transmit herewith a certified copy of **Final order No.813-814/ 2011 EX[DB]** dated 16-9-11 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 II
C.R. BUILDING, I.P. ESTATE, NEW
DELHI 110002

2. Adv. / Consult
MR.S. C. VERMA, ADVOCATE,
RRS & PARTNERS I-155, KARAMPURA,
NEW MOTI NAGAR, NEW DELHI

3. C.D.R
4. Bar association, CESTAT, New Delhi
5. Director Publications, Customs, Excise, I.P. Estate, New Delhi
6. M/s Centax Publictions 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 (Haryana)
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. SHRI RANJIT DEVNATH, PROPRIETOR,
M/S RANJIT ENGINEERING WORKSHOP, 116/1, MASOODABAD,
DLF, NEAR CHARA MANDI, NAJAFGARH, NEW DELHI.

Assistant Registrar
(Excise Appeal Branch)

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

Date of Hearing : 9.9.2011

Excise Appeal No. 186 and 187 of 2010

[Arising out of common Order-in-Original No. 6/2009 dated 29.9.2009 passed by the Commissioner of Central Excise, New Delhi]

Coram:

Hon'ble Ms. Archana Wadhwa, Member (Judicial)
Hon'ble Shri Mathew John, Member (Technical)

1.	Whether Press Reporter may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	No
2.	Whether it would be released under Rule 27 of the CESTAT (Procedure) Rules, 1982 for publication in any authoritative report or not?	No
3.	Whether their Whether their Lordships wish to see the fair copy of the order?	Seen
4.	Whether order is to be circulated to the Department Authorities?	Yes

Ranjit Engineering Workshop
Shri Ranjit Devnath, Proprietor of
M/s Ranjit Engineering Workshop — Appellants

Vs.

CCE, Delhi-II — Respondent

Appearance:

Appeared for Appellant : None
Appeared for Respondent : Shri N. Pathak, DR

CORAM: Hon'ble Ms. Archana Wadhwa, Member (Judicial)
Hon'ble Shri Mathew John, Member (Technical)

FINAL Order No. 813-814/2011-EX dated............

Per **Archana Wadhwa** :

Vide Stay Order No. 439-440/2011-Ex. dated 8.4.2011 M/s Ranjit Engineering Workshop was directed to deposit an amount of Rs. One crore within a period of eight weeks from the date of this order. Subject to the said deposit, the requirement of pre-deposit of balance amount of duty and entire amount of penalties imposed upon both the applicants was dispensed with.

2. It is seen that the said order of the Tribunal was ~~to be~~ challenged by the appellants before the Hon'ble High Court of Delhi, by filing a writ petition there against. The Hon'ble High Court vide their order dated 25.7.2011 reduced the said deposit amount from Rs. One crore to Rs.75.00 lakhs. The said deposit of Rs.75.00 lakhs was required to be made by the appellant by the end of August 2011. The Hon'ble High Court observed that failure on the part of the appellant would result in dismissal of appeal.

3. On matter being called for ascertaining compliance with the above orders, it is seen that there is no compliance report on record. Further, the appellant is unrepresented and has not placed any reasons for non-compliance with the order of the Hon'ble High Court.

4. In view of the above, we dismiss appeals for non-compliance with the provisions of Section 35F of Central Excise Act, read with the stay

order passed by the Tribunal as also the order passed by Hon'ble High Court.

(Dictated & pronounced in open Court)

(Archana Wadhwa)
Member (Judicial)

(Mathew John)
Member (Technical)

RM