

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

Appeal No. E/2064-2065/2010 - EX[DB] WITH
E/S/1970-1971/2010

Date **09/11/2011**

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

To :
M/S TITAWI SUGAR COMPLEX
VILLAGE & P.O.TITAWI, MUZAFFARNAGAR, UTTAR
PRADESH-251 301.
M/S TITAWI SUGAR COMPLEX

Appellant
Vs
Respondent

C.C.E. DELHI I

STAY ORDER NO. 1188-1189/2011-EX

I am directed to transmit herewith a certified copy of **Final order No.930-931/ 2011 EX[DB]** dated 04-11-11
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 I
C.R. BUILDING, I.P. ESTATE, NEW
DELHI 110002

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



Assistant Registrar
(Excise Appeal Branch)

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

Date of Hearing: 28.10.2011

**Excise Stay Appn. No.E/ST/1970/10 in
Excise Appeal No.E/2064/10**

[Arising out of Order in Original No.07/Commissioner/2010
dated 26.4.2010 passed by the Commissioner of Central
Excise, New Delhi]

**Excise Stay Appn. No.E/ST/1971/10 in
Excise Appeal No.E/2065/10**

[Arising out of Order in Original No.08/Commissioner/2010
dated 26.4.2010 passed by the Commissioner of Central
Excise, New Delhi]

M/s. Titawi Sugar Complex ...Appellant

Vs.

CCE, Delhi-I ... Respondent

Present for the Appellant : Shri R.K. Hasija, Advocate

Present for the Respondent : Shri B.K. Singh, Jt. CDR

**Coram: HON'BLE MR.D.N.PANDA, JUDICIAL MEMBER
HON'BLE MR. MATHEW JOHN, TECHNICAL MEMBER**

STAY Order No 1188-1189/2011-EX
FINAL ORDER NO. 930-931/2011-EX DATED: 28.10.2011

PER: D.N.PANDA

It is suggestion of both sides that the matter deserves to
be re-looked by adjudicating authority in view of amendment
of law. ^{*in Rule 6 of Central Excise Rules, 2005.*} We noticed that appellant's application for
consideration is awaiting at the adjudication level. Appeals are
unnecessarily rolling on the board alongwith stay application

and serving no useful purpose. Therefore, waiving requirement of pre-deposit, we remand both the appeals to the Id. Adjudicating authority to redo the exercise of adjudication consequent upon disposal of the application pending before him.

[Dictated & Pronounced in the open Court].

(D.N.PANDA)
JUDICIAL MEMBER

(MATHEW JOHN)
TECHNICAL MEMBER

Anita