

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

Appeal No. ST/1767/2011 - CU[DB]
ST/S/3700/11

Date 21/05/2012

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

To :
M/S KHETAN TILES PVT. LTD.

ROAD NO.5, VISHWAKARMA INDUSTRIAL AREA,
JAIPUR (RAJASTHAN)
M/S KHETAN TILES PVT. LTD.

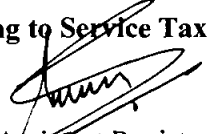
Appellant

Vs
Respondent

C.C.E. JAIPUR I

I am directed to transmit herewith a certified copy of **Final order No.ST/A/387/ 2012 CU[DB]** dated 14.05.12
passed by the Tribunal under **Section 129, (B) of the Customs Act,1962 & Financial Act 1994 relating to Service Tax**

Alongwith Stay Order No ST/S/555/12


Assistant Registrar
(Customs Appeal Branch)

Copy to :

1. Respondent

C.C.E. JAIPUR I

N.C.R.BUILDING, STATUE
CIRCLE, "C" SCHEME, JAIPUR
302005.

2. Adv. / Consult

MR.BIPIN GARG, ADV

B-1/1289-A VASANT KUNJ 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 Publications Pvt Ltd.,1512-B, Bhishm Pitamah marg,Opp. ICICI Bank of Defence Colony, New Delhi-3

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

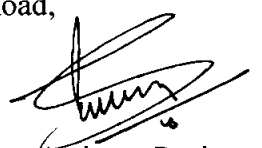
9. Easy Service Tax Online Dot Com Pvt.Ltd.407A,Iscon Mall,Above Star India Bazar,Satellite Road,
Ahmedabad-15

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


Assistant Registrar
(Customs Appeal Branch)

**CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Court No.II**

ST/Stay No.3700/11 in /A No.1767/2011

(Arising out of order in appeal No.381/DKV/ST/JPR.1/2011 dated 7.9.11 passed by the Commissioner of Customs & Central Excise (Appeals), Jaipur)

Date of Hearing: 14.5.2012

For Approval and signature:

Hon'ble Mr. D.N. Panda, Member Judicial
Hon'ble Mr.Mathew John, Technical Member

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1. Whether Press Reporters 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 Khetan Tiles Pvt Ltd

Appellants

Vs

CCE, Jaipur

Respondent

Appeared for the Appellant: Ms. Sukriti Das, Advocate
Appeared for the Respondent: Shri P.K. Sharma , SDR

Coram: **Hon'ble Mr D.N. Panda, Judicial Member**
Hon'ble Shri Mathew John, Technical Member

Stay order No ST/9555/12-Cus.
Final ORDER ST/A/387/12-Cus.

Per D.N. Panda:

We find that the appellants did not counter the allegation in the show cause notice issued. That resulted in demand by impugned order for lack of defence. Learned Counsel says that appellant may be allowed to lead its defence before the authority. To make the prayer workable, we direct the appellant to deposit Rs. 50,000/- (Rupees fifty thousand only) within four weeks and produce challan within two weeks with an application to the appellate authority to fix the date of hearing. Upon compliance to this order, hearing shall be fixed by the said authority. Appellants shall cooperate with the learned Commissioner (Appeals) and adduce its evidence as well as lead its defence, if any, for completion of the proceedings. Needless to say that the appellant is entitled to an opportunity of hearing.

2. In the result, both the stay application and appeal are disposed of in the above terms.

(Order dictated and pronounced in the open Court.)

(~~MATHEW~~ JOHN)
Member Technical
MPS*

(D.N. PANDA)
Member Judicial