

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

Appeal No. E/3190/2010 - EX[DB]

Date 01/03/2012

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

To :
M/S SPECTEC BUILDING PRODUCTS PVT. LTD.,
C/O PRIYADARSHI MANISH 27 VIDYUT NIKUNJ,
PLOT. NO. 112, PATPARGANJ, DELHI.
110092

M/S SPECTEC BUILDING PRODUCTS PVT. LTD.,

Appellant

Vs

Respondent

C.C.E. DELHI IV

I am directed to transmit herewith a certified copy of **Final order No. A/232/**
passed by the Tribunal under **Section 35-C(1) of Central Excises Act, 1944**

2012 EX[DB] dated 28-2-12

Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. DELHI IV

NEW CGO COMPLEX, NH-IV,
FARIDABAD, HARYANA 121001.

2. Adv. / Consult

MR. PRIYADARSHI MANISH, ADV

27, VIDYUT NIKUNJ, PLOT NO 112, I.P. EXTENSION, PATPARGANJ, 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
(Excise Appeal Branch)

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

DIVISION BENCH
Court No.3

Excise Appeal No.E/3190/2010
Excise Appeal No.E/3060-3061/2010

(Arising out of OIA No.89-92/CE/Apl/DLH-IV/2010 dt.17.6.10
passed by the CCE(A), Faridabad)

Date of Hearing/Decision: 24.02.2012

For approval and signature:

Hon'ble Mrs.Archana Wadhwa, Member (Judicial)
Hon'ble Mr.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?	Secn
4	Whether Order is to be circulated to the Departmental authorities?	Yes

M/s.Spectec Building Products Pvt.Ltd.
Shri Kanwar Singh, Accountant
Shri Krishan Kumar, Director

Appellant

Vs
CCE, Faridabad

Respondent

Present for the Appellant: Ms.Anjali, Advocate
Shri V.S.Agarwal, Advocate
Present for the Respondent: Shri I.Baig, AR

Coram: Hon'ble Mrs.Archana Wadhwa, Member (Judicial)
Hon'ble Mr.Mathew John, Member (Technical)

FINAL ORDER NO. A/232/2012-EX (BR)

PER: ARCHANA WADHWA

In respect of company M/s.Spectec Building Products Pvt.Ltd.,
vide stay order No.1314-1316/2011-Ex dt.17.11.11, M/s.Spectec

Building Products Pvt.Ltd. were directed to deposit the entire amount of duty alongwith 25% of penalty as condition of hearing of their appeal. The said deposits were required to be made within a period of eight weeks from the date of passing of the stay order. In the said stay order, Shri Krishan Kumar, one of the directors of company was directed to deposit an amount of Rs.1 lakh towards penalty.

2. On matter being called today, for ascertaining compliance of the above stay order, Shri Krishan Kumar, Director has complied with the stay and has deposited the penalty of Rs.1 lakh. As regards, M/s.Spectec Building Products Pvt.Ltd., there is no compliance report on records. As such, we are of the view that the appeal filed by M/s.Spectec Building Products Pvt.Ltd. is liable to be dismissed for non compliance with the provisions of section 35F of Central Excise Act, 1944 read with stay order referred to supra. We order accordingly.

(Pronounced in the open court)

(ARCHANA WADHWA)
MEMBER (JUDICIAL)

(MATHEW JOHN)
MEMBER (TECHNICAL)

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