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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 12/03/2012

Appeal No. E/184 /2011& E/1269/2010 - EX[DB]

E/S/ 215/2011-EX

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

To :
M/S U.P. STATE SUGAR & CANE DEVELOPMENT
CORPORATION LTD.,
CHHITAUNI, DISTT. KUSHINAGAR, (U.P.)

274801

M/S U.P. STATE SUGAR & CANE DEVELOPMENT
CORPORATION LTD.,

Appellant

C.C.E ALLAHABAD

STAY ORDER NO. 390/2012-EX.

Vs
Respondent

I am directed to transmit herewith a certified copy of Final order No.A/248-249/ 2012 EX[DB] dated 05-3-12
passed by the Tribunal under Section 35-C(1) of Central Excises Act, 1944

[Signature]
Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E ALLAHABAD
38,M.G.MARG, CIVIL LINES,
ALLAHABAD

2. Adv. / Consult *MS. SUKRITIDAS, ADV, C/D*
MR.BIPIN GARG

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

[Signature]
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

E/Stay/215/11 in Appeal No.E/184/11 & E/1269/10

(Arising out of OIA No.232/CE/ALLD/10 dt.30.09.10 and OIA No.80/CE/ALLD/10 dt.26.03.10 passed by the CCE(A), Allahabad)

Date of Hearing/Decision: 01.03.2012

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?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

M/s.U.P.State Sugar & Cane Development
Corporation Ltd.
Vs

Appellant

CCE, Allahabad

Respondent

Present for the Appellant: Ms.Sukriti Das, Advocate

Present for the Respondent: Shri S.R.Meena, AR

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

STAY ORDER No 390/2012-EX (BR),
FINAL ORDER NO. A/248-249/2012-EX (BR),

PER: ARCHANA WADHWA

Both sides agree that the impugned orders passed by the
Commissioner ^(Appeal) are in respect of remission of duty on the loss of
molasses. As such, the appeal lies before the Revision Authority.
The Tribunal has no jurisdiction to deal with such cases.

2. In view of the above, ^{we} direct the Registry to transfer ~~to~~ these appeals to the Revisionary Authority of Government of India for disposal at their end.

3. The stay petition as also the appeals are disposed in the above manners.

(Pronounced in the open court)

(ARCHANA WADHWA)
MEMBER (JUDICIAL)

(MATHEW JOHN)
MEMBER (TECHNICAL)

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