

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

Appeal No. E/2567/2011 - EX[DB]

Date 05/06/2012

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

To :
M/S KUWER INDUSTRIES LIMITED.

A-71-72, SECTOR-58, NOIDA.

M/S KUWER INDUSTRIES LIMITED.

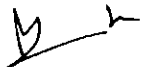
Appellant

Vs
Respondent

C.C.E. NOIDA

2012 EX[DB] dated 31-5-12

I am directed to transmit herewith a certified copy of **Final order No. A/647**
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. NOIDA

C-56/42, SECTOR-62, NOIDA-
201307

2. Adv. / Consult

MR.S.D.GAUR

SB-108, SHASTRI NAGAR, GHAZIABAD.

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)

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

COURT NO. I

DATE OF HEARING/DECISION : 31/05/2012.

Excise Appeal No. 2567 of 2011

[Arising out of the Order-in-Original No. 03/COMMR/NOIDA/
2011-12 dated 28/07/2011 passed by The Commissioner of
Central Excise, Noida.]

Hon'ble Shri Justice Ajit Bharihoke, President
Hon'ble Shri Rakesh Kumar, 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?
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 Kuwer Industries Limited Appellant

Versus

CCE, Noida Respondent

Appearance

None – for the Appellant.

Shri S.R. Meena, Authorized Representative (DR) – for the
Respondent.

CORAM : Hon'ble Shri Justice Ajit Bharihoke, President
Hon'ble Shri Rakesh Kumar, Member (Technical)

FINAL Order No. A/647/2012-EX(BR)

Shri Justice Ajit Bharihoke :-

The appellant was directed vide order dated 27th of March 2012 to deposit the demand of Rs. 1,10,61,274/- with interest within eight weeks from the date of the order. As per the report of Registrar the appellant has not complied with the direction of the Tribunal. Though, today the case is listed for none reporting of compliance, nobody has appeared on behalf of the appellant to report compliance or to explain the reasons for non-compliance. Since, the appellant has failed to comply with the order we left with no alternative but to reject the appeal in view of non-compliance of order under the provisions of Section 35F of Central Excise Act.

(Justice Ajit Bharihoke)
President

(Rakesh Kumar)
Member (Technical)

PK