

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

Appeal No. E/2500/2011 - EX[DB]
E/S/3253/2011-EX

Date **25/04/2012**

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

To :
M/S TALBROS AUTOMOTIVE COMPONENTS LTD
PLOT NO 39-46, SECTOR-6, INDUSTRIAL GROWTH
CENTRE, BAWAL, DISTT- REWARI.
M/S TALBROS AUTOMOTIVE COMPONENTS LTD

Appellant

Vs
Respondent

C.C.E. DELHI III

STAY ORDER NO. 691/2012-EX

I am directed to transmit herewith a certified copy of **Final order No. A/458**
passed by the Tribunal under **Section 35-C(1) of Central Excises Act, 1944**

2012 EX[DB] dated 19-4-12


Assistant Registrar
(Excise Appeal Branch)

Copy to :

1. Respondent

C.C.E. DELHI III

UDYOG MINAR, UDYOG VIHAR,
VANIYA NIKUNJ, PHASE V,
GURGAON - 122016 (HARYANA)

2. Adv. / Consult *SH. J. P. KAUSHIK, ADV.,
A-14/3, SFS FLATS,
SAKET, N. DELHI-17*

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.2, R.K.Puram, New Delhi

COURT-I

Date of hearing/decision: 19.4.2012

**Stay Application No.3253 of 2011 and
Central Excise Appeal No.2500 of 2011**

Arising out of the order in appeal No.233/BK/GGN/2011 dated 15.7.2011 passed by Commissioner of Customs & Central Excise (Appeals), Delhi III, Gurgaon.

Hon'ble Mr. Justice Ajit Bharihoke, President
Hon'ble Mr. Rakesh Kumar, Technical Member

1	Whether Press Reporter may be allowed to see the Order for publication as per Rule 26 of the CESTAT (Procedure) Rules, 1982?	
2	Whether it should be released under Rule 26 of 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 Departmental authorities?	

Talbro's Automotive Components Limited .. Appellant

Vs.

C.C.E., Delhi III, Gurgaon .. Respondent

Present Shri J.P. Kaushik, Advocate for the appellants

Present Shri R.K. Verma, A.R. for Revenue

Coram: Hon'ble Mr. Justice Ajit Bharihoke, President
Hon'ble Mr. Rakesh Kumar, Technical Member

STAY Order No. 691/2012-Ex (BR)
FINAL Order No. 458/2012-Ex (BR)

Per Justice Ajit Bharihoke (Oral):

Appellant was served with a letter dated 4.5.2010 by Zonal authority calling upon him to reverse the cenvat credit to the tune of Rs.23,71,222/- . Feeling aggrieved, he preferred an appeal

before Commissioner (Appeals) and the Commissioner (Appeals) dismissed the appeal on technical ground that there was no adjudication against him. Instant appeal is against aforesaid order of Commissioner (Appeals). Subsequently, a show cause notice was served upon the appellant and the notice has culminated into the demand against which and against the order in original, appeal has been filed. In view of the above, learned Counsel seeks to withdraw the appeal.

2. Dismissed as withdrawn.

(Justice Ajit Bharihoke)
President

(Rakesh Kumar)
Technical Member

scd/