

FAX : 011-26108426

REGISTERED / AD

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

Dated: 28/12/2012

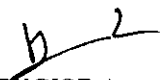
To

Appellant as per address in table below

Respondent as per address in table below

Final Order No. A/1374-1375/2012-EX[DB], Stay Order No. SO/1995-1996/2012 dated 12/12/2012

I am directed to transmit herewith a certified copy of order passed by the Tribunal under section 35-C(1) of the Central Excise and Salt Act, 1944.


Asstt. Registrar(EXCISE Appeal Branch)

Application	Appeal	Name and Address of Appellant
1	E/Stay/1455/2012 E/1142 2012	Vaishno International Plot No 96, Phase-3, Sicop Industrial Area, Gangyal, Jammu.
2	E/Stay/1456/2012 E/1143 2012	B K Varshney Partner Plot No 96, phase-3, Sicop Industrial Area, Gangyal, Jammu.

	Name and Address of Respondent
3	C.C.E. & S.T.-Meerut-ii OPPOSITE SHAHEED SMARAK, DELHI ROAD...BHANSALI GROUND, MEERUT, UTTAR PRADESH

Other Appellants and Respondents as per Annexure

Copy To

4 Advocate(s) / Consultant(s):

**R. Santhanam
C-3/210,
JANAK PURI,
NEW DELHI,
DELHI
110058**

5 Bar Association, CESTAT, Delhi

6 Director Publications, Customs, Excise, I.P. Estate, Delhi

7 M/s Centax Publications Pvt. Ltd., 1512-B, Bhishm Pitamah Marg, New Delhi-3

8 Company Law Institute of India Pvt. Ltd., No.2 (old no.36), Vaithyaram Street, T. Nagar, Chennai-17

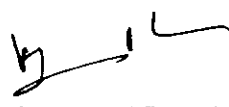
9 Taxmann Allied Service Pvt. Ltd., 59/32, New Rohtak Road, New Delhi-110005

10 Easy Service Tax Online Dot Com Pvt. Ltd., 407A, Iscon Mall, Satellite Road, Ahmedabad-15

11 LAWCRUX Advisors Pvt. Ltd., LAW House, I-8, Sector-10, Faridabad 121003 (Haryana)

12 TaxIndiaOnline.com Pvt. Ltd., 2nd Floor, Vasant Arcade, Vasant Kunj, New Delhi - 110070

13 Mark Professional Services Pvt. Ltd., 108, Everest Block, Aditya Enclave, Hyderabad – 38

14 C.D.R. 15 Office Copy 16 Guard File 

Asstt. Registrar(EXCISE Appeal Branch)

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

Court No.1

**Excise Stay Application No.1455-1456 of 2012 in Appeal
No.1142-1143 of 2012**

(Arising out of Order-in-Original No. No.01/Commr/M-II/2011-12 dated 14.06.2011 passed by the Commissioner of Central Excise, Meerut)

Date of Hearing/Decision: 12.12.2012

For approval and signature:

Hon'ble Mr.Justice Ajit Bharihoke, President

Hon'ble Mr.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 should 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 Departmental authorities?	

Vaishno International
Shri B.k.Varsheny, Partner

Appellants

Vs.

CCE, Meerut-II

Respondent

Present: Shri R.Santhanam, Advocate for the Appellant

Present Shri R.K.Verma, DR for the Respondent

Coram: Hon'ble Mr. Justice Ajit Bharihoke, President

Hon'ble Mr.Rakesh Kumar, Member (Technical)

STAY ORDER No. 1995-1996/2012-EX (BR)
FINAL ORDER No. A/1374-1375/2012-EX (BR)

Per. Justice Ajit Bharihoke:

These appeals are preferred by the respective appellants against the Order-in-Original No.01/Commr/M-II/2011-12 dated 14.06.2011 passed by the Commissioner of Central Excise, Meerut.

2. Heard both parties.

3. The Authorised Representative of the parties concede that the order-in-original was also appealed against by the main noticees M/s.Shree Balaji Aromatics and M/s.S.B.Aromatics and various other noticees on whom penalty was imposed. Aforesaid appeals preferred by other noticees were disposed of vide Final Order No.587-597-EX(DB) dated 14.05.2011. It is contended that by the authorised representative of the parties that similar issue of law and facts is involved in these appeals, therefore appeals against the order-in-original be accepted and the matter be remanded back to the concerned Commissioner for de novo adjudication.

4. In view of the above concession given at the bar by the parties, the appeals are accepted. The order-in-original is set aside and the matters are remanded back to the concerned Commissioner of Central Excise, Meerut for de novo adjudication alongwith other remanded appeals after giving due hearing to the parties.

5. Appeals as well as stay applications are disposed of accordingly.

(Justice Ajit Bharihoke)
President

(Rakesh Kumar)
Member (Technical)

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