

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

Appeal No. : E/762/2011-EX[DB], E/763/2011-EX[DB]

Dated: 31/07/2012

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

**MAHESH SINGH, MANAGING
DIRECTOR,**
M/S JYOTI DIVYA FABRICATION
LTD., 1154, BISHRAK ROAD,
INDUSTRIAL AREA, GB NAGAR
(U.P.)

**MAHESH SINGH, MANAGING
DIRECTOR,**

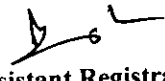
(Appellant)

VS

C.C.E. GHAZIABAD

(Respondent)

I am directed to transmit herewith a certified copy of Final Order No. A/888-889/2012-EX[DB] dated 30/07/2012 passed by the Tribunal under section 35-C(1) of the Central Excise and Salt Act, 1944.


Assistant Registrar
EXCISE Appeal Branch

Copy To,

1. Respondent

C.C.E. GHAZIABAD
C.G. O. Complex-II, Kamla Nehru Nagar,
Ghaziabad 201302

2. Advocate(s) / Consultant(s): *SH. P. NAIR, ADV, C/D*
Piyush Kumar, Adv
B-25, Lajpat Nagar-III, N. 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

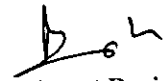
9. Easy Service Tax Online Dot Com Pvt. Ltd., 407A, Iscon Mall, Above Star India Bazar, Satellite Road,
Ahmedabad-15

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. Gaurd File


Assistant Registrar
EXCISE Appeal Branch

14. **JOYTI DIVYA FABRICATION LTD.,**
1154, BISHRAK ROAD, INDUSTRIAL
AREA, GB NAGAR (U.P.)

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
West Block No.2, R. K. Puram, New Delhi. Court No. 1

Date of hearing/decision: 30.07.2012

Hon'ble Sh. Justice Ajit Bharihoke, President
Hon'ble Sh. 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?	

Excise Appeal No. 762 - 763 of 2011

M/s Jyoti Divya Fabrication Ltd. Appellants
Mahesh Singh, M.D.

Vs.

CCE, Ghaziabad Respondent

Present Ms. P. Nair, Advocate for the appellant.
Present Sh. R.K. Verma, AR for the respondent.

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

FINAL Order No. A/888-889/2012 Ex (BT)

Admittedly, the appellant has not complied with the direction of pre-deposit as modified by the High Court of Allahabad despite dismissal of appeal in the Supreme Court. Since the appellant has failed to comply with the direction of pre-deposit, the appeal is rejected in view of the provisions of Section 35F of the Central Excise Act, 1944.

(Justice Ajit Bharihoke)
President

(Rakesh Kumar)
Member (Technical)

Pant