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

Appeal No. ST/89 /2011 - CU[DB]
ST/S/181/11, ST/COD/18/11

Date 04/04/2012

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

To :
M/S DCM SHRIRAM CONSOLIDATED LTD.
SHRIRAM NAGAR, KOTA (RAJASTHAN)
M/S DCM SHRIRAM CONSOLIDATED LTD.

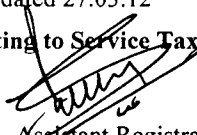
Appellant

Vs
Respondent

C.C.E. JAIPUR I

I am directed to transmit herewith a certified copy of Final order No.ST/A/271/ 2012 CU[DB] dated 27.03.12 passed by the Tribunal under Section 129, (B) of the Customs Act,1962 & Financial Act 1994 relating to Service Tax

Alongwith Stay Order No ST/S/327/12 & Misc Order No ST/M/80/12


Assistant Registrar
(Customs Appeal Branch)

Copy to :

1. Respondent

C.C.E. JAIPUR I

N.C.R.BUILDING, STATUE
CIRCLE, "C" SCHEME, JAIPUR
302005.

2. Adv. / Consult : Mr. B.L.Narasimhan, Adv
C/O Appellant

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
(Customs Appeal Branch)

**IN THE CUSTOMS, EXCISE AND SERVICE TAX
APPELLATE TRIBUNAL, NEW DELHI
PRINCIPAL BENCH, COURT NO. III**

**Service Tax Appeal No. 89 of 2011
Service Tax Stay Application No. 181 of 2011
Service Tax COD Application No. 18 of 2011**

Date of Hearing/decision : 27.03.2012

[Arising out of Order-in- Appeal No. & 56(DK) ST/JPR-I/2009 dated 27.7.2009 passed by the Commissioner of Central Excise (Appeals), Jaipur]

For approval and signature:

Hon'ble Ms. Archana Wadhwa, Member (Judicial)

Hon'ble Mr. Mathew John, Member (Technical)

1. Whether Press Reporters may be allowed to see : *Yes*
the Order for publication as per Rule 27 of the
CESTAT (Procedure) Rules, 1982?
2. Whether it should be released under Rule 27 : *No*
of the CESTAT (Procedure) Rules, 1982 for
publication in any authoritative report or not?
3. Whether Their Lordships wish to see the fair : *Seen*
copy of the Order?
4. Whether Order is to be circulated to the : *No*
Departmental authorities?

M/s. DCM Shriram
Consolidated Ltd.

Appellants

Vs.

Commissioner of Central Excise
Jaipur I

Respondent

Appearance:

Shri B.L. Narasimhan, Advocate for the Appellants

Shri K.P. Singh, DR for the Respondent

CORAM:

Hon'ble Ms. Archana Wadhwa, Member (Judicial)

Hon'ble Mr. Mathew John, Member (Technical)

Misc order No. ST/M/80/12-Cus.

Final **ORAL ORDER NO. ST/A/271/12-Cus.**

Stay order No. ST/S/327/12-Cus.

Per Mathew John (for the Bench):

The applicant has filed this appeal with the delay of 445 days and the applicant has filed the application for condoning the said delay. The only reason given by the applicant is that the concerned person has left the organisation and the file pertaining to the matter was not found and the applicant had no have idea of the present matter and that is why the appellant could not file the appeal in time.

2. We find that no specific reason like who was the person concerned, when he left the organisation, at which level he was working etc. are not given in the application and we are of the view that there is no justifiable reason given for condoning such long delay. Therefore, we reject the application for Condonation of delay in filing the appeal.

3. Consequently, the stay petition and appeal also stand disposed.

(Pronounced in the open Court)

(Archana Wadhwa)
Member (Judicial)

(Mathew John)
Member (Technical)

