TELEGRAM : CEGCANAL
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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/2175/2012-CU[DB]

Dated: **16/08/2012**

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

Amira Foods India Ltd
21st Milestone, Harsaru, Gurgaon.
(haryana)

Amira Foods India Ltd (Appellant)

VS

C.S.T.-Delhi (Respondent)

I am directed to transmit herewith a certified copy of Final Order No. **ST/A/545/2012-CU|DB|** dated **08/08/2012** passed by the Tribunal under section **01(5) of the Finance Act, 1994 relating to Service Tax Act, 1994.**

Assistant Registrar
CUSTOMS Appeal Branch

Copy To,
1. Respondent
C.S.T.-Delhi
17-
B,I.A.E.A.House,M.G.Road,I.P.Estate,New
Delhi,110002

2. Advocate(s) / Consultant(s):
Mr. B.L. Narsimhan. Adv
B-6/10, Safdarjang Enclave.
New 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
CUSTOMS Appeal Branch

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Court No.II

ST/Appeal No.2175/2012

(Arising out of order in appeal No.138/BK/GGN/2012 dated 30.3.2012 passed by the Commissioner of Customs & Central Excise (Appeals),Gurgaon)

Date of Hearing: 8.8.2012

For Approval and signature:

Hon'ble Mr. D.N. Panda, Member Judicial
Hon'ble Mr.Mathew John, Technical Member

1.	Whether Press Reporters may be allowed to see The order for publication as per Rule 27 of the CESTAT(Procedure) Rules, 1982?	Yes
2.	Whether it would be released under Rule 27 of the CESTAT (Procedure) rules, 1982 for publication in any authoritative report or not?	NO
3.	Whether their lordships wish to see the fair copy of the order?	Seen
4.	Whether order is to be circulated to the Department Authorities?	NO

M/s Amira Foods (I) Ltd — Appellants

Vs

CCE, Delhi-III — Respondent

Appeared for the Appellant: Shri B.L. Narsimhan, Advocate
Appeared for the Respondent: Shri A. Jain, SDR

Coram: **Hon'ble Mr D.N. Panda, Judicial Member**
Hon'ble Shri Mathew John, Technical Member

Final ORDER No. ST/A/545/12-Cus

Per D.N. Panda:

Both sides agree that if the matter goes back, all details relating to claim can be examined afresh by learned adjudicating authority for which the appellant shall cooperate.

2. When aforesaid proposition came forward, the appeal need not be kept pending in Tribunal. Accordingly, the matter is remanded to the learned adjudicating authority to relook to the matter and examine the details if any, provided by appellant on the basis of facts and law for passing appropriate order, after hearing the appellant.

3. The appellant shall file an application within a month of receipt of this order praying for fixation of date of hearing. If such an application is made, the authority shall fix the date of hearing the matter and do the needful as directed above.

(Order dictated and pronounced in the open Court.)

(MATHEW JOHN)
Member Technical
MPS*

(D.N. PANDA)
Member Judicial