

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

Appeal No. C/359 /2009-361 /2009 - CU[DB]
C/S/1635-37/2009

Date 01/03/2012

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

To :
M/S AKAY CONES PVT. LTD.

67/5328, II FLOOR, REGHARPURA, HARDHYAN
SINGH ROAD, KAROLBAGH, NEW DELHI
110024

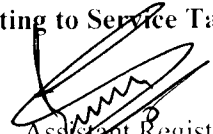
M/S AKAY CONES PVT. LTD.

Appellant

Vs
Respondent

C.C.(PREVENTIVE)

I am directed to transmit herewith a certified copy of **Final order No.C/A/51-53/ 2012 CU[DB]** dated 10.02.12
passed by the Tribunal under **Section 129, (B) of the Customs Act,1962 & Financial Act 1994 relating to Service Tax**


Assistant Registrar
(Customs Appeal Branch)

Copy to :

1. Respondent

C.C.(PREVENTIVE)

NEW CUSTOM HOUSE, NEAR
I.G.I. AIRPORT, NEW DELHI
110037.

2. Adv. / Consult

MR.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. Guard file

SHRI H.M.PRABHAKAR,
R/O E/10E, MIG FLAT MAYAPURI,
NEW DELHI

M/S INTRADE IMPEX PVT. LTD.

67/5328, IIND FLOOR, REGHARPURA,
HARDHYAN SINGH ROAD, KAROLBAGH,
NEW DELHI.


Assistant Registrar
(Customs Appeal Branch)

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

Date of hearing/decision 10.02.2012

**Customs Stay Application Nos. 1635 - 1637 of 2009 in
Customs Appeal Nos. 359 - 361 of 2009**

M/s Akay Cones Pvt. Limited
M/s Intrade Impex Pvt. Limited
Sh. H.M. Prabhakar

Appellant

Rep. by Ms. Shikha Sapra, Advocate for the appellant.

Vs.

CC, New Delhi

Respondent

Rep. by Sh. R.K.Gupta, DR for the respondent.

**Coram: Hon'ble Sh. D. N. Panda, Judicial Member
Hon'ble Sh. Rakesh Kumar, Technical Member**

Final ORDER No. C/A/51-53/12-Cus

Per: Shri D. N. Panda:

The matter has been listed by Registry in the regular list without any compliance to the order dated 19.09.2011. It was specifically directed by the Bench that the matter to come up for ascertaining compliance on 24.10.2011. Without placing for compliance it is surprising to note that how the matters are listed for regular hearing. Registry is to explain why such irregularity occurred, when record does not reveal any compliance made nor any evidence in that regard exists in record.

2. Learned DR on behalf of revenue says that revenue has no evidence of compliance.

3. In view of the above, all the Appeals Nos. 359 to 361 of 2009 are dismissed.

4. Registry is required to place its explanation before the Hon'ble President upon his joining.

(Dictated and pronounced in the open Court)

**(D.N. Panda)
Judicial Member**

**(Rakesh Kumar)
Technical Member**