

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

Appeal No. : E/475/2010-EX[DB] & C/107/2011-CUS.

Dated: 05/07/2012

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

**VANASTHALI TEXTILE
INDUSTRIES LIMITED,
F-3-5, RIICO INDUSTRIAL AREA,
VIGYAN NAGAR, SHAJAHANPUR
(RAJASTHAN)**

**VANASTHALI TEXTILE
INDUSTRIES LIMITED,**

(Appellant)

VS

(Respondent)

C.C.E. JAIPUR I

I am directed to transmit herewith a certified copy of Final Order No. A/767/2012-EX[DB] & FINAL ORDER NO. C/A/213/2012-CUS. dated 03/07/2012 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. JAIPUR I

**N.C.R. Building, Statue Circle, "C"
Scheme, jaipur 302005.**

2. Advocate(s) / Consultant(s):

R. KRISHNAN

**297-E, Pocket-II, Phase-I, Mayur Vihar
Delhi-110091.**

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**

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL,

West Block No.2, R.K.Puram, New Delhi

COURT-I

Date of hearing/decision: 3.7.2012

Central Excise Appeal No.475 of 2010

Arising out of the order in original No. 44/2009(CE)/Commissioner dated 4.12.2009 passed by the Commissioner, Central Excise, Jaipur.

Customs Appeal No.107 of 2011

Arising out of the order in original No.52/2010 (CE) dated 3.12.2010 passed by the Commissioner, Customs, Jaipur.

Hon'ble Mr. Justice Ajit Bharihoke, President
Hon'ble Mr. Rakesh Kumar, Technical Member

1	Whether Press Reporter may be allowed to see the Order for publication as per Rule 26 of the CESTAT (Procedure) Rules, 1982?	
2	Whether it should be released under Rule 26 of 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?	

Vanasthali Textile Industries Limited

.. Appellant

Vs.

C.C.E./C.C., Jaipur

.. Respondent

Present for the appellant/petitioner : Shri Chandrashekhar, AJM

Present for the respondent : Shri A.K. Jain, A.R.

Final order No. C/A/213/12-cus.

FINAL Order No. A/767/2012-EX(CBR)

Per Mr. Justice Ajit Bharihoke (oral):

Shri Chandrashekshar, Assistant General Manager of the appellant company states that the Hon'ble High Court has dismissed the writ petition filed against the stay order dated 8.12.2011. It is further submitted by Shri Chandrashekshar that the appellant has

failed to pre-deposit an amount of Rs.1 crore as ordered by the Tribunal on 8.12.2011. He is not in a position to tell when the order shall be complied with. In view of this, it is obvious that appellant is not inclined to comply with the order of pre-deposit of Rs.1 crore. Accordingly, the appeals are dismissed for non-compliance of the provisions of Section 35F of the Central Excise Act, 1944.

(Justice Ajit Bharihoke)
President

(Rakesh Kumar)
Technical Member

scd/