

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

Appeal No. E/641/2011-EX(SM)

[Arising out of Order-in-Appeal No.243-244/CE/DLH/2010 dated 01.12.2010, by the Commissioner of Customs, Central Excise & Service Tax (Appeals), Delhi].

For approval and signature:

Hon'ble Shri S.K. Mohanty, Member (Judicial)

1	Whether Press Reporters may be allowed to see the Order for publication as per Rule 27 of the CESTAT (Procedure) Rules, 1982?	No
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?	Seen
4	Whether Order is to be circulated to the Departmental authorities?	Yes

C.C.E. Delhi-I

....Applicants

Vs.

M/s. Prakash Enterprises

....Respondent

Appearance:

Shri M.R. Sharma, DR for the Appellants

Shri Naveen Mullick, Advocate for the Respondent

CORAM:

Hon'ble Shri S.K. Mohanty, Member (Judicial)

Date of Hearing: 27.12.2016

FINAL ORDER NO.56425/2016-EX(SM)

Per S.K. Mohanty:

This appeal is directed against the Order-in-Appeal dated 01.12.2010 passed by the Commissioner (Appeals), Customs, Central Excise, Delhi.

2. As per Instructions issued by C.B.E.C. dated 17.12.2015 from file F.No. 390/Misc./163/2010-JC, the appeal is not maintainable due to the monetary limit.

3. Therefore, the appeal filed by the Revenue is dismissed.

[Dictated and Pronounced in the open Court]

(S.K. Mohanty)
Member (Judicial)

Bhanu