

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

Appeal No. C/54969, 54978, 55853/2014-CU(DB)

[Arising out of Order-in-Original No. 06/KAM/Commr/2014-15 dated 09.05.2014, by the Commissioner of Customs, Central Excise & Service Tax (Appeals), New Delhi].

**Shri N.C. Chellathambi
Shri C. Sekar
M/s. Cargo Care Logistics**

....Applicants

Vs.

C.C.E. New Delhi (prev)

....Respondent

Appeal No. C/54111, 54519, 54975, 55004, /2014-CU(DB)

**Shri Bhushan Aggarwal, Director
M/s. Bhatinda Ceramics Pvt. Ltd.
M/s. Sunrise Freight Forwarders Pvt. Ltd.
Shri Vikram Singh Negi**

....Applicants

Vs.

C.C.E. New Delhi (prev)

....Respondent

Appearance:

Shri. Prateek Kumar, Advocate for the Appellant
Shri Amresh Jain, DR for the Respondent

CORAM:

**Hon'ble Ms. Archana Wadhwa, Member (Judicial)
Hon'ble Shri V. Padmanabhan, Member (Technical)**

Date of Hearing: 27.03.2017

FINAL ORDER NO. 52650-52652/2017-CU(DB)

Per Archana Wadhwa:

Vide stay order no. 51507-51512/2016 dated 14.12.2016 all the appellants were directed to pre deposit 7.5% of the penalty

imposed upon them within the period of 8 weeks and report compliance on 16.02.2017.

2. When the matter came up on record on 16.02.2017 it was noticed that Shri Bhushan Aggarwal, Director, M/s. Bhatinda Ceramics Pvt. Ltd., M/s. Sunrise Freight Forwarders Pvt. Ltd. and Shri Vikram Singh Negi, have deposited the directed amount and evidence was placed on record. As there was no compliance by the other applicants, the matter was adjourned to today.

3. On matter being called today neither anybody appeared on behalf of Shri N.C. Chellathambi, Shri C. Sekar and M/s. Cargo Care Logistics, nor is there any compliance report on record.

4. In as much as the stay order has not been complied with in spite of sufficient time having been given to the appellant we are of the view that their appeals are liable to be dismissed on account of non compliance with the provisions of section 129 E of the Customs Act read with the stay order (supra).

4. We order accordingly. The other appeals are taken up on record for final disposal.

[Dictated and pronounced in the open Court]

(V. Padmanabhan)
Member (Technical)

(Archana Wadhwa)
Member (Judicial)

Bhanu