

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

Excise Appeal No. 1089 of 2012

[Arising out of Order-in-Appeal No. No. 228(AKJ)CE/JPR-II/2011 dated 9.01.2012 passed by the Commissioner of Central Excise(Appeals), Jaipur]

Venkat R Chari

Appellant

Vs.

**Commissioner of Central Excise
Jaipur**

Respondent

Appearance:

None for the Appellants

Shri K Poddar, AR for the Respondent

CORAM:

Hon'ble Mr. V. Padmanabhan, Member (Technical)

Date of **Hearing/ Decision:** **04.07.2017**

FINAL ORDER NO. 55009 /2017

Per: V. Padmanabhan:

The appeal has been filed against the Order in Appeal No.228(AKJ)CE/JPR-II/2011 dated 9.01.2012. Vide the impugned order, penalty of Rs. One lakh has been confirmed against the appellant. Same has been challenged in the present appeal. However, I find from the records that the case was originally fixed for hearing on 7.10.2016 and later adjourned at the request of the Counsel for the

appellant to 30.12.2016, 7.02.2017, 26.05.2017 and 04.07.2017. Today when the case was called, none was present for the appellant. From this it appears that the appellant is not serious in pursuing the appeal.

2. It may be mentioned that as per the maxim VIAILATIBUS ET NON DORMIENTIBUS JURA SUB VENIUNT, law helps those who are vigilant and not those who go to sleep.

3. In view of above, appeal is dismissed for default.

(Dictated and pronounced in the open Court)

(V. Padmanabhan)
Member (Technical)

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