

CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
West Block No.2, R. K. Puram, New Delhi, Court No. 1

Date of hearing/decision: 29.09.2017

Excise Appeal No.52937/2015

[(Arising out of order-in-original no.JOD-EXCUS-000-COM-0005-15-16 dated 19.05.2015 passed by the Principal Commissioner of Central Excise, Jodhpur]

M/s.Binani Cement Ltd.

Appellant

Vs.

CCE,Jodhpur

Respondent

Appearance:

Shri Rahul Tangri, Advocate for the appellant.
Shri H.C. Saini, DR for the respondent.

Coram:

Hon'ble Mr. Justice (Dr.) Satish Chandra, President
Hon'ble Mr. B. Ravichandran, Member (Technical)

Final Order No.56893/2017

Per: **Justice (Dr.) Satish Chandra:**

The present appeal is filed against the order -in-original dated 19.05.2015.

2. During the course of arguments, Shri Rahul Tangri, ld. Advocate informed that the Company has gone under the liquidation. A liquidator has been appointed, to whom the notice was served. He brought a letter written by Shri Vijay Kumar V. Iyer, Liquidator, wherein it is mentioned that any proceedings pending against the Corporate Debtor shall be deemed to be stayed and the Order of moratorium shall be effective till the date of the completion of the corporate insolvency resolution process or the approval of liquidation of the Corporate Debtor by the Adjudicating Authority.

3. Both the sides agreed that till then the matter cannot be disposed of.

4. In view of the above, the liberty is granted to the appellant to come again after completion of pending proceedings within the prescribed time limit, if so advised, as stated above. With the aforesaid liberty, the appeal is disposed of.

(Dictated and pronounced in the open Court).

(Justice (Dr.) Satish Chandra)
President

(B. Ravichandran)
Member (Technical)

Ckp.

