

**CUSTOMS EXCISE & SERVICE TAX
APPELLATE TRIBUNAL,**

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

COURT-I

Date of hearing: 18.09.2017

Appeal No. C/190, 249/2011-CU[DB]

[Arising out of the Order-in-Appeal No. CCA/ICD/18, 19/2011 dated 31/01/2011, passed by the Commissioner of Central Excise, New Delhi]

M/s. Shree Balaji Inc. ... Appellant

Vs.

C.C.E. New Delhi ... Respondent

Appearance:

Present None for the appellant

Present Shri Govind Dixit, DR for the respondent

**Coram: Hon'ble Mr. Justice (Dr.) Satish Chandra, President
 Hon'ble Mr. V. Padmanabhan, Technical Member**

FINAL ORDER No. 57009-57010/2017

Per Justice (Dr.) Satish Chandra:

Since the filing of the appeal it was listed from time to time. There is a casual approach on behalf of the Id. Counsel for the appellant.

2. On 09.03.2017, the appeal was dismissed for non prosecution. However, on 16.08.2017 the order was restored by allowing the ROA.

3. Today inspite of notice served, there is no representation on behalf of the appellant nor any adjournment application is available on record.

4. It seems that the assessee is not interested in pursuing his appeal.
5. It may mention that as per the maxim VIA ILATIBUS ET NON DORMIENTIBUS JURA SUB VENIUNT, law helps those who are vigilant and not those who go to sleep.
6. In view of the above, the appeal is dismissed for default.

[Dictated and Pronounced in the open court]

(V. Padmanabhan)
Technical Member

(Justice Dr. Satish Chandra)
President

Bhanu