

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

Excise Appeal No. 52120 /2016

[Arising out of Order-in-Appeal No. 25/PR.COMMR/CEX/IND/2015-16 dated 23.03.2016 passed by the Commissioner of Central Excise (Appeals), Indore]

M/s. Socrus Pharmaceuticals Ltd.

Appellant

Vs.

**Commissioner of Central Excise
Indore**

Respondent

Appearance:

None for the Appellants-assessee

Shri R K Mishra, AR for the Respondent- Revenue

CORAM:

Hon'ble Mr. Justice (Dr.) Satish Chandra, President

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

Date of Hearing/ Decision: 25.10.2017

FINAL ORDER NO. 57462/2017

Per: Justice (Dr.) Satish Chandra:

List revised. None is present for the appellant nor is there any adjournment application available on record inspite of notice served. Shri R K Mishra, learned representative of the department submits that the appellant has not filed proper reply to the show cause notice and went to High Court. The appellant has never participated in the

proceedings nor there was any representation of the appellant, so ex-parte order was passed. Before the Tribunal also, case remains unrepresented. On 8.9.2017, no representation was made on behalf of the appellant, so a fresh notice was issued for today.

2. Today in the revised list, none is present. It shows that appellant is not interested to pursue the case.

3. 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.

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

(Dictated and pronounced in the open Court)

(V. Padmanabhan)
Member (Technical)

ss

(Justice (Dr.) Satish Chandra)
President