

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

Customs Appeal No. 521 of 2011

[Arising out of Order-in- Original No. 122 /11 dated 02.06.2011
passed by the Commissioner of Customs, New Delhi]

**Commissioner of Customs
New Delhi**

Appellant

Vs.

M/s. JDSU India (P) Ltd.

Respondent

Appearance:

Shri Ranjan Khanna, DR for the Appellants

None for the Respondent

CORAM:

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

Hon'ble Mr. B Ravichandran, Member (Technical)

Date of Hearing/ Decision: 1.1.2018

FINAL ORDER NO.50104/2018

Per: Justice (Dr.) Satish Chandra:

The present appeal is filed by the department against the Order-in-Appeal No. 122 /11 dated 02.06.2011.

2. The department has no record as stated by the learned DR. When it is so, then we find no reason to interfere in the impugned order. We sustain the same.

3. In the result, appeal filed by the Revenue is dismissed.

(Dictated and pronounced in the open Court)

**(B Ravichandran)
Member (Technical)**

**(Justice (Dr.) Satish Chandra)
President**

