

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

PRINCIPAL BENCH - COURT NO. 1

Excise Appeal No. 51317 of 2017

(Arising out of Order-in-Original No. 14/COMMR/CEX/JBP/2017 dated 26.04.2017
passed by the Commissioner of Customs, Central Excise & Service Tax, Jabalpur)

DATE OF HEARING : 15.03.2018

DATE OF DECISION : 15.03.2018

M/s Northern Coalfields Ltd.

Appellants
(Rep by NONE)

VERSUS

CCE, Jabalpur

Respondent
(Rep. by Sh. R.K. Mishra, DR)

**CORAM : HON'BLE MR. JUSTICE (DR.) SATISH CHANDRA, PRESIDENT
HON'BLE MR. B. RAVICHANDRAN, MEMBER (TECHNICAL)**

FINAL ORDER NO. 51026/2018

PER JUSTICE (Dr.) SATISH CHANDRA :

List revised. None is present for the assessee-Appellants nor there is any adjournment application on record. Shri R.K. Mishra, learned DR, is present for the Revenue.

2. From the record, it appears that on 16.11.2017 a FAX message was received from the assessee-Appellants for adjournment. Accordingly, the matter was adjourned for

19.12.2017. On 19.12.2017, in spite of notice, nobody appeared and the case was adjourned to 17.01.2018.

3. Again on 17.01.2018, at the written request of the assessee-Appellants, the matter was fixed for 15.02.2018 and on that day also, due to non-representation, in the interest of justice, the matter was adjourned for today i.e. 15.03.2018. The conduct of the assessee-Appellants shows that they are not serious in pursuing their appeal.

4. It may be mentioned 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.

5. In view of the above, the appeal is dismissed for default with liberty to come again for recalling this order subject to satisfying the reason for the default, but within the prescribed time.

(Dictated & pronounced in the open court)

(JUSTICE DR. SATISH CHANDRA)
PRESIDENT

(B. RAVICHANDRAN)
MEMBER (TECHNICAL)