

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

COURT –II

Date of hearing/decision: 08.06.2018

Appeal No. ST/58802/2013-DB

[Arising out of Order-in-Appeal No. OIA-128-VC-CE-JPR-II-2013 dated 09/05/2013 passed by the Commissioner of Central Excise-JAIPUR-II (Appeal)]

Choudhary Stone Crushing Co

Appellant

Vs.

C.C.E. & S.T.-Jaipur-ii

Respondent

Appearance:

None for the appellant

Sh. R.K. Majhi, DR for the Respondent

Coram:

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

Hon'ble Ms. Rachna Gupta, Member (Judicial)

Final Order No. 52192/2018

Per: V. Padmanabhan:

1. When the appeal was called today for hearing none appeared on behalf of the appellant. The revenue is represented by Shri R.K. Majhi.
2. There is request for adjournment from the Ld. Counsel. However, it is noticed that when the appeal came before the Bench on 16/04/2018, the Bench had adjourned the matter to 11/05/2018 as a last chance but on payment of cost of Rs. 1000. We find nothing on record to show that the said cost has already been deposited.
3. In the absence of payment of cost we are unable to consider the adjournment.
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 above, appeal is dismissed for default with liberty to come again for recalling this order subject to satisfying the reason for the default but within prescribed time.

(Dictated and pronounced in the open Court)

(Rachna Gupta)
Member (Judicial)

(V. Padmanabhan)
Member (Technical)

Rekha