CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL
REGIONAL BENCH AT HYDERABAD
Division Bench
Court – I

Application No. ST/COD/30586/2017
in
Appeal No. ST/31083/2017

(Arising out of Order-in-Appeal No. VIZ-EXCUS-003-APP-040-15-16 dated 29.01.2016 passed by Commissioner of Customs, Central Excise and Service Tax (Vizag Appeal – II), Guntur)

A Mallikharjuna Reddy …..**Appellant(s)**

Vs.

Commissioner of Customs, Central Excise & Service Tax, Nellore …..**Respondent(s)**

Appearance
Shri Ch. Venkateswara Rao, Advocate for the Appellant.
Shri Guna Ranjan, Superintendent (AR) for the Respondent.

Coram:
Hon'ble Mr. M.V. RAVINDRAN, MEMBER (JUDICIAL)
Hon'ble Mr. P. VENKATA SUBBA RAO, MEMBER (TECHNICAL)

Date of Hearing: 04/06/2018
Date of Decision: 04/06/2018

FINAL ORDER No. A/30617/2018

[Order per: M.V. Ravindran]

When this application for condonation of delay and appeal were called out, we notice from the records, that the appellant has not deposited the amount as required under provisions of Section

35F of the Central Excise Act, 1944 for entertaining the appeal on merits. In the absence of any pre-deposit made, as per the provisions, the appeal cannot be entertained by the Tribunal. Accordingly, the application and appeal is dismissed for non compliance of provisions of Section 35F of the Central Excise Act, 1944, and the papers are returned to assessee.

(Order dictated & pronounced in open court)

P. VENKATA SUBBA RAO
MEMBER (TECHNICAL)

M.V. RAVINDRAN
MEMBER (JUDICIAL)

Lakshmi….