

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE
TRIBUNAL, KOLKATA
EASTERN ZONAL BENCH: KOLKATA**

Appeal Nos. E/607/2008 & E/608/2008

(Arising out of Order-in-Original No. CCE/BBSR-II/19/COMMR/08 dated 29/08/2008 passed by the Commissioner of Central Excise & Customs, Bhubaneswar-II.)

- (i) M/s. Kripal Springs (India) Ltd.
- (ii) M/s. Harbans Singh

Applicant (s)/Appellant (s)

Vs.

Commr. of Central Excise & Service Tax, BBSR-II

Respondent (s)

Appearance:

None for the Appellant (s)

Shri A. Roy, Suptd. (A. R.) for the Revenue (s)

CORAM:

HON'BLE SHRI P. K. CHOUDHARY, MEMBER (JUDICIAL)

HON'BLE SHRI V. PADMANABHAN, MEMBER (TECHNICAL)

Date of Hearing/Decision: - 03.12.2018

ORDER NO. FO/77051-77052/2018

PER CORAM

When the matter was called for hearing, none appeared on behalf of the appellant. On perusal of record, we find that the case has regularly been listed on board on 29/06/2018 and again on 10/10/2018. On both the earlier occasion, the appellants filed petition for adjournment on some of the other pre-text. Today they have not appeared in response to the notice dated 26/09/2018. Shri A. Roy, Suptd. (A. R.) appeared for the Revenue.

2. It may be mentioned that as per maxim, VIA ILATIBUS ET NON DORMIENTIBUS JURA SUB VENIUNT, law helps those who are vigilant and not those who go to sleep.

Appeal Nos. E/607/2008 & E/608/2008

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

(Dictated and pronounced in the court)

Sd/-
(V. PADMANABHAN)
MEMBER (TECHNICAL)

Sd/-
(P. K. CHOUDHARY)
MEMBER (JUDICIAL)

Pooja