

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
EAST REGIONAL BENCH : KOLKATA**

Excise Appeal No.693/2010

(Arising out of Order-in-Appeal No.39/CE/B-I/2010 dated 28.10.2010 passed by the Commissioner (Appeals), Central Excise, Customs & Service Tax, Bhubaneswar)

M/s. Binayak Aluminium Pvt. Ltd.
Vs.

Applicant (s)/Appellant (s)

Commissioner of Central Excise, Customs & Service Tax, BBSR-I

Respondent (s)

Appearance:

None for the Appellant (s)

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

CORAM:

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

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

Date of Hearing/Decision : 13.12.2018

ORDER NO. FO/A/77089/2018

Per Bench :

When the matter was called for hearing, none appeared on behalf of the appellant despite notice, nor has any application for adjournment been received. Notice of hearing has also not been received back "undelivered". Shri A.Roy, Suptd.(AR) 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.

3. 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 and pronounced in the open Court.)

S/d.
(V.Padmanabhan)
MEMBER (TECHNICAL)

S/d.
(P. K. CHOUDHARY)
MEMBER (JUDICIAL)