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

Appeal No. E/79203/2018

(Arising out of Order-in-Appeal No. 13-MP-AYUKT-DENOVO-2018 dated 17/05/2018 passed by the Commissioner (Appeals), Central Excise, Customs and Service Tax, Kolkata)

Dina Iron and Steel Limited

….Appellant (s)

Vs.

Commissioner of Central Excise Patna-I

….Respondent (s)

Appearance:
Shri Raju Mondal, AC, for the Appellant (s)
Shri S. Mukhopadhyay, Supdt.(AR) for the Respondent(s)

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

Date of Hearing :- 08.02.2019
ORDER NO.

PER SHRI P.K.CHOUDHARY

The appellants have filed stay petition pertaining to the demand raised by Order-in-Original No 13-MP-AYUKT-DENOVO-2018 dated 17.05.2018. It is the contention of the applicants that the demand relates to the period from 19.8.1999 upto January, 2000 and the duty has been confirmed after 18 years of the remand order passed by the Tribunal and accordingly, they would pray that they should not be made to deposit mandatory pre-deposit under Section 35(F). However, the Learned representative appearing on behalf of the appellant submits a challan/cyber receipt for payment of the pre-deposit amount of Rs. 83,200/- which covers 7.5% of the total demand.

2. On facts as stated above, after making the pre-deposit, the balance demand gets stayed till the disposal of appeal. Under the circumstances, the stay petition is disposed as infractuous. Appeal to be listed in its due course.

(Dictated and pronounced in the open court.)

(P.K.Choudhary)
Member(Judicial)

msh