IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL
WEST ZONAL BENCH AT MUMBAI

APPEAL NO: ST/87155/2017

[Arising out of Order-in-Appeal No: KLH-EXCUS-000-APP-150-2017-18 dated 07.06.2017 passed by the Commissioner (Appeals-II) of Central Excise & Service Tax, Kolhapur]

Jai Javan Suraksha Rakshak Sah. Sanstha Ltd. ***Appellant***

versus

Commissioner of Central Excise Pune II ***Respondent***

Appearance:

None for appellant

Shri Sudhi B. Mane, Assistant Commissioner (AR) for respondent

CORAM:

Hon'ble Dr. Suvendu Kumar Pati, Member (Judicial)

Date of hearing: 12/11/2018
Date of decision: 12/11/2018

ORDER NO: A/87880 / 2018

When the appeal is taken up on board, the appellant is found absent and none represented him. On perusal of order sheet, it is noticed that in the last three consecutive dates on 10.10.2018, 10.09.2018 and 06.08.2018 the appellant was absent and on 05.07.2018 the Learned Counsel for the appellant sought adjournment to deposit the advised service tax which is noted thereon. Further perusal of the order sheet reveals that on 25.04.2018 the appeal was heard in part by the former Hon'ble Member (Judicial) Mr. Ramesh Nair, on which date the written note and compilation of judicial decisions were also filed but the file has been released by him consequent upon his transfer. From the above referred orders, it is apparently clear that appellant was initially prepared to pursue the appeal, subsequently submitted to make payment of duty demand and thereafter abandoned the appeal.

2. Under the Circumstances there is no option left before this court except to dismiss the appeal for default as appellant is no longer pursuing its case. The appeal is, therefore, dismissed for default and non prosecution.

(Pronounced in Court on 12/11/2018)

(Dr. Suvendu Kumar Pati)
Member (Judicial)

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