

CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
MUMBAI

REGIONAL BENCH

Excise Appeal No. 305 of 2012

(Arising out of Order-in-Original No. 77/BR-77/TH-I/2011 dated 29.11.2011 passed by the Commissioner of Central Excise, Thane-I.)

Mr. Sanjay Mittal

.....Appellant

**Prop. Of Balaji Steels,
411, 4th Floor, Aashirwad Building,
Masjid Bunder, Mumbai – 400 009**

VERSUS

Commissioner of Custom Excise, Thane-I

.....Respondent

**4th Floor, Navprabhat Chambers,
Ranade Road, Dadar (West)
Mumbai – 400 028.**

WITH

(i) Excise Appeal No. 306 of 2012 (M/s. Maheshwari Industries); (ii) Excise Appeal No. 307 of 2012 (M/s. Magnum Steels); (iii) Excise Appeal No. 356 of 2012 (M/s. Air Carrying Corporation Pvt. Ltd.) (iv) Excise Appeal No. 357 of 2012 (Mr. Manoj Arya)

(Arising out of Order-in-Original No. 77/BR-77/TH-I/2011 dated 29.11.2011 passed by the Commissioner of Central Excise, Thane-I.)

APPEARANCE:

None for the appellants in appeal Nos. E/305, 306 & 307/2012
Shri Vatsal Vohra, Intern (Proxy) for appellants in appeal Nos. E/356 & 357/2012

Shri Ms. Anuradha S. Parab, Assistant Commissioner, Authorised Representative for the Respondent

CORAM:

HON'BLE MR. SANJIV SRIVASTAVA, MEMBER (TECHNICAL)
HON'BLE DR. SUVENDU KUMAR PATI, MEMBER (JUDICIAL)

FINAL ORDER NO. A/85114-85118/2022

Date of Hearing:10.02.2022
Date of Decision:10.02.2022

PER: DR. SUVENDU KUMAR PATI

Appellants are absent. No one represented them except one Mr. Vatsal Vohra, claiming himself to be an Intern of the conducting Counsel's law firm, who joined online from his car while travelling, whose presence cannot be acknowledged since beyond the decorum of Court procedure. These appeals are of the year 2012 and several adjournments have been sought and allowed to the appellant on the previous occasions. On 18.01.2022, only one appellant namely Mr. Manoj Arya had appeared. On 22.07.2021, learned Counsel for Air Carrying Corporation Pvt. Ltd. had appeared but they sought for adjournment and that was also granted. The matter has become year old and crossed almost 10 years. Appearance of one or two Appellants on few occasions and mostly non-participation by them clearly indicates that they are no more interested to pursue their appeals further. Hence, the appeals are dismissed for default and non-prosecution under Rule, 20 of the CESTAT (Procedure) Rules, 1982.

(Pronounced in open court)

(Dr. Suvendu Kumar Pati)
Member (Judicial)

(Sanjiv Srivastava)
Member (Technical)