

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE
TRIBUNAL, MUMBAI**

REGIONAL BENCH - COURT NO. I

Customs Appeal No. 43 of 2009

(Arising out of Order-in-Original No. 03/2009 CC (I) JNCH dated 13.01.2009 passed by the Commissioner of Customs Nhava Sheva)

Shri Atul Kalra

A5, Jangpura Extn. Opp. DAV School,
New Delhi – 110014.

.... Appellant

Versus

Commissioner of Customs (Import)

Jawaharlal Nehru Custom House, Nhava Sheva,
Dist-Raigad, Maharashtra – 400707.

.... Respondent

Appearance:

None for the Appellant

Shri S. K. Hatangadi, Authorized Representative for the Respondent

CORAM:

HON'BLE DR. SUVENDU KUMAR PATI, MEMBER (JUDICIAL)
HON'BLE MR. ANIL G. SHAKKARWAR, MEMBER (TECHNICAL)

FINAL ORDER NO. A/85136 / 2023

Date of Hearing: 02. 02.2023

Date of Decision: 02.02.2023

Per: Bench

None for the appellant.

2. Learned AR submits that he has copy of the withdrawal of Vakalatnama by previous conducting Counsel of the appellant filed way back in 2017 and thereafter the appellant had never appeared on any date posted for hearing of this appeal.

3. On perusal of case records, it is also observed that notice was sent to the appellant on 03.11.2021 but it had been received back un-served with a postal endorsement that "house is locked for 3 days". It seems that the appellant is no more interested to

pursue its appeal for which we have no option but to dismiss the same for default for non-prosecution under Rule 20 of the CESTAT (Procedure) Rules, 1982.

4. The appeal is, therefore, dismissed for non-prosecution.

(Operative portion of the order pronounced in open court)

(Dr. Suwendu Kumar Pati)
Member (Judicial)

(Anil G. Shakkarwar)
Member (Technical)

Sinha