

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
MUMBAI
REGIONAL BENCH, COURT NO. 5**

EXCISE APPEAL NO. 1819 OF 2012

SANJAY MITTAL

303, Ken Plaza, Mind Space,
Above Union Bank of India,
Chincholi Bunder, Malad Link Road,
Malad (W), Mumbai- 400 064.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W), Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1820 OF 2012

GHANSHYAM PANDEY

Flat no. 201, Shivam Apartments,
Opp. IIT Main Gate, Powai,
Mumbai- 400 076.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W), Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1821 OF 2012

GHANSHYAM PANDEY

Flat no. 201, Shivam Apartments,
Opp. IIT Main Gate, Powai,
Mumbai- 400 076.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W), Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1822 OF 2012

GHANSHYAM PANDEY

Flat no. 201, Shivam Apartments,
Opp. IIT Main Gate, Powai,
Mumbai- 400 076.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W), Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1823 OF 2012

SUNIL TRANSPORT

39, Ahemdabad Street,
Iron Market, S.T. Road,
Mumbai- 400 009.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W), Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1824 OF 2012

SUNIL SAHNI

39, Ahemdabad Street,
Iron Market, S.T. Road,
Mumbai- 400 009.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W), Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1825 OF 2012

DILIP VORA

405, Ankur Apartments,
Tata Power Lane, Manpada Road,
Dombivali (E),
Thane- 421 202.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W),
Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1826 OF 2012

MAHESHWARI INDUSTRIES

F/15, SEJ Plaza,
Near Nutan Vidyamandir,
Marve Road, Malad (W),
Mumbai- 400 064.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W),
Mumbai- 400 028.

Respondent

EXCISE APPEAL NO. 1827 OF 2012

MAGNUM STEELS

602, Simran Plaza,
Corner of 3rd & 4th Road,
Near Hotel Enclave, Khar (W),
Mumbai- 400 052.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

4th Floor, Navprabhat Chambers,
Ranade Road,
Dadar (W),
Mumbai- 400 028.

Respondent

(Arising out of Order-In-Appeal no. BR(132 to 143) Th-I/2012 dated
31.08.2012 passed by The Commissioner (Appeals) CE.)

Appearance:

None for the Appellant.

Shri Sunil Kumar Katiyar, Asst. Commissioner, Authorized Representative for
the Respondent.

CORAM:

HON'BLE DR. SUVENDU KUMAR PATI, MEMBER (JUDICIAL)

HON'BLE MR. ANIL.G.SHAKKARWAR, MEMBER (TECHNICAL)

Date of Hearing: 15.02.2024
Date of Decision: 15.02.2024

FINAL ORDER - 85090-85098/2024.

PER : BENCH

None for the Appellant but written request is received through E-mail to adjourn this group of matters to April so as to enable Learned Counsel for the Appellant to contact his client, receive the appeal files from them, take suitable directions to proceed with the matter and then argue the case.

2. On 10.06.2023, appellant had also sent a similar mail seeking adjournment of the case so as to enable him to contact his client's (appellant) and he had expressed his inability for non-appearance on the previous dates i.e. on 13.06.2023. Apart from sending emails, On last two occasions i.e. on dated 13.06.2023 & 31.10.2023, no one represented the Appellant's for which matter was adjourned.

3. Learned Authorized Representative is present.

4. These appeals were instituted way back in 2012 and is getting listed periodically but no movement is taking place in furtherance of the completion of the process due to non-appearance of the Appellants despite best efforts made by his conducting Counsel.

5. It seems that Appellants are no more interested to pursue their appeal and it would be wastage of time to keep on adjourning these appeals on periodic manner.

6. We, therefore, have got no other option but to dismiss these appeals for default and non-prosecution under Rule 20 of the CESTAT Procedure Rules, 1982 and we do so.

7. The appeals are dismissed for default and non-prosecution.

(Dictated and pronounced in open court.)

(Dr. SUVENDU KUMAR PATI)
MEMBER (JUDICIAL)

(ANIL.G.SHAKKARWAR)
MEMBER (TECHNICAL)