

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

EXCISE APPEAL NO. 86986 OF 2014

(Arising out of Order-In-Appeal No. AV (38-39) 23, 31/2014 dated
03.03.2014 passed by Commissioner (Appeals).)

DY EXECUTIVE ENGINEER (CIVIL) MSEDCL

PSC Pole factory,
Railway station road,
Murud,
Latur-413 510.

Appellant

Vs.

**COMMISSIONER OF CENTRAL EXCISE AND
SERVICE TAX, AURANGABAD**

Town Centre, N-5,
CIDCO,
Aurangabad-431 003.

Respondent

Appearance:

None for the Appellant.

Shri P.K. Acharya, Superintendent, Authorized Representative for the
Respondent.

CORAM:

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

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

Date of Hearing: 26.09.2024

Date of Decision: 26.09.2024

FINAL ORDER NO :- 86130/2024.

None for the Appellant as has been the case on the last several occasions. Order sheet reveals that on 06.02.2024 appellant's counsel informed the Authorized Representative that he had suffered heart attack and not in a position to come for which we had adjourned the matter, even though no written request was made to that effect from the appellant side. More than six months have lapsed in the meantime and the matter was listed for hearing for more than three occasions including today's listing.

2. It seems the appellant is no more interested to pursue its appeal. Consequently, we dismiss the appeal for default and non-prosecution under CESTAT (Procedure) Rules, 1982.

(Dictated and pronounced in open court)

(Dr. SUVENDU KUMAR PATI)
MEMBER (JUDICIAL)

(ANIL.G.SHAKKARWAR)
MEMBER (TECHNICAL)

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