

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

EXCISE APPEAL NO. 87173 OF 2013

(Arising out of Order-in- Appeal No. BR/5/Th-I/2012 dated 19.12.2012 passed by the Commissioner of Central Excise (Appeals), Mumbai Zone-I, Mumbai.)

M/s. PALLAVI GRAPHICS

Unit No. 69, 4th Floor,
Bhandup Industrial Estate,
Pannalal Silk Mill Compound,
LBS Marg, Bhandup (West)
Mumbai-400078.

Appellant

Vs.

COMMISSIONER OF CENTRAL EXCISE, THANE-I

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

Respondent

APPEARANCE:

Shri Ansh Agal, Advocate for the Appellant

Shri L.B.D. Coasta, D.C., Authorised Representative for the Respondent

CORAM:

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

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

FINAL ORDER NO. 86226/2024

Date of Hearing: 16.10.2024

Date of Decision: 16.10.2024

PER : BENCH

Learned counsel for the Appellant seeks an adjournment once again in this case on the ground that their arguing counsel Mr. Chirag Shetty is unwell today.

2. Learned Authorised Representative objects to such request on the ground that there were seven adjournments granted in this case and appeal though instituted in 2013, no hearing has commenced yet.

3. On perusal of orders, it is noticed that on 10.10.2023 learned counsel Mr. Ansh Agal who appears today, took adjournment on the ground that their arguing counsel Mr. Jitendra Motwani is pre-occupied before the Hon'ble Bombay High Court.

4. We are, therefore, of the opinion that Appellant is not interested to pursue its appeal and only taking repeated adjournments, unnecessarily wasting the time of this Bench and the very request from its counsel taking different names of the arguing counsel would substantiate that dilatory tactics is adopted to even matters which are quite year old.

5. We, therefore, refuse to entertain the adjournment request and dismiss the appeal for Default and non-prosecution under Rule 20 of CESTAT (Procedure) Rules, 1982.

(Order pronounced in the open court on 16.10.2024)

(Dr. SUVENDU KUMAR PATI)
MEMBER (JUDICIAL)

(ANIL.G.SHAKKARWAR)
MEMBER (TECHNICAL)