

2014 (1) ECS (213) (Tri - Del.)

In The Customs, Excise & Service Tax Appellate Tribunal
West Block No. II, R.K. Puram, New Delhi - 110066
Court No. III

Date of Decision : 10.01.2014

M/s PRATHAMESH SHIPPING PVT LTD.

Vs.

CCE, INDORE.

Customs Appeal No. 57096/2013 - CU [DB]

Customs Cross Objection No. 59261/2013

Customs Misc Application No. 57952/2013

[Arising out of Order - In - Appeal No. 03 - CommR - CUS - IND - 2013
dated 10.04.2013 passed by CCE, Indore]

Appearance:

Shri Rohit Choudhary and

Ms. Preeti, Advocate

Dr. Devender, AR

For the Appellant

For the Respondent

CORAM:

Hon'ble Ms. Archana Wadhwa, Judicial Member

Hon'ble Mr. Rakesh Kumar, Technical Member

(Final Order No. 50070/2014)

"The prohibition order passed by Commissioner of Customs under Regulation 21 of Customs House Agent Licensing Regulations, 2004 are not maintainable before the Tribunal by way of filing an appeal."

Per : Archana Wadhwa, Ms. :

The present appeal stands filed against the order of Commissioner of Customs vide which he has prohibited the applicant, who is the CHA from the conducting the business in his Commissionerate in terms of regulation 21 of CHALR 2004.

Learned JCDR has brought the over notes Tribunal decision in the Case of Shri Balaji Logistics Vs. CCE, Ghaziabad [2012 (286) ELT 241 (Tri. Del.)] laying down that the prohibition order passed by Commissioner of Customs under Regulation 21 of Customs House Agent Licensing Regulations, 2004 are not maintainable before the Tribunal by way of filing an appeal. In view of the above, we reject the appeal as not maintainable.

(Pronounced in the open Court)