

2012 (2) ECS (86) (Tri-Mum)

IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
WEST REGIONAL BENCH AT MUMBAI

Mohit Satbir Saralia Pramod Singh
Versus
Commissioner of Central Excise & Customs, Nashik

Applications: E/Stay-1364 & 1378/2011 in Appeals: E/1197 & 1210/2011

Arising out of: Order-in-Original No. 10/CEX/2011 dated 30/03/2011.

Passed by: Commissioner of Central Excise & Customs, Nashik

Date of hearing: 25/09/2012

Date pronounced:25/09/2012

Mohit Satbir Saralia
Pramod Singh

Versus

Commissioner of Central Excise
& Customs, Nashik

Applicants – Represented by:
None

Respondent – Represented by
Mr. K.S. Mishra
Additional Commissioner (A.R)

CORAM:

Shri Ashok Jindal, Member (Judicial)

Shri P.R. Chandrasekharan, Member (Technical)

ORDER No.: S/1531-1532/12/EB/C-II

“On all the occasions, none appeared on behalf of the applicants. In view of these observations, we find that the applicants have nothing to say in support of their stay applications and accordingly the stay applications are dismissed.” [Para 2]

Per Ashok Jindal:

1. Despite notice none appeared on behalf of the applicants nor any request for adjournment has been received.
2. On perusal of the record we find that the matter was listed earlier also on several occasions i.e. 16/05/2012, 21/06/2012, 09/08/2012 and today. On all the occasions, none appeared on behalf of the applicants. In view of these observations, we find that the

applicants have nothing to say in support of their stay applications and accordingly the stay applications are dismissed.

3. The applicants are directed to make pre-deposit of 50% of the penalty confirmed against them within a period of eight weeks and report compliance on 10th December, 2012. On such deposit, pre-deposit of the balance amount of penalty shall stand waived and recovery stayed during the pendency of the appeal.

(Dictated in Court)

