

Ram Kirpal Vs. Commissioner of Central Excise

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Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Delhi

Decided On : Jun-25-1998

Reported in : (1998)(104)ELT671TriDel

Appellant : Ram Kirpal

Respondent : Commissioner of Central Excise

Judgement :

1. The application for restoration of the appeal has been filed on the ground that the case was adjourned to 28-5-1998 but listed on 24-4-1998 and dismissed for default in appearance.
2. We have heard learned DR. He fairly leaves the matter of restoration of application for decision by the Bench, we have perused the Court diary and are satisfied with the explanation offered by the appellants' Counsel. We, therefore, recall the order of dismissal and restore the appeal to its original number.
3. The learned Counsel states that a reference application on the issue as to whether poppy seeds can be termed as "Diabetic Food" has been referred by the Tribunal to the Gujarat High Court where the matter was taken up but adjourned to the first week of August, 1998 and they request that the appeal may be fixed for hearing keeping this in view on any date after High Court takes up the matter in August.
4. The learned SDR explains the urgency of the hearing of this matter.

Keeping the request of both the sides in mind, we fix this appeal for hearing on 27-8-1998.

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