Commissioner of Central Excise Vs. Blast Carboblocks

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Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Mumbai

Decided On : Oct-06-2000

Reported in : (2001)(127)ELT136Tri(Mum.)bai

Appellant : Commissioner of Central Excise

Respondent : Blast Carboblocks

Judgement :
1. This appeal was filed on 14-6-1993 by the revenue. The copy of the Order-in-Original was not filed therewith. Notice was sent on 13-6-2000. Show cause notices were sent on 6-7-2000 and 16-8-2000, directing the appellant Commissioner to file, the required papers and cautioning him that in the absence of compliance, the appeal may be dismissed. Today when the case was called out there was no compliance.

The appeal is therefore liable for dismissal.

2. We further find that the copy of the authorisation of the Commissioner under Section 35B of the Central Excise Act, is not filed by the Revenue at all. The copies of the impugned order in one set are in distinct and in another set plain sheets have been filed. It appears that in the appellant Commissioner's office appeals to the Tribunal are considered as low priority.

3. This appeal is dismissed in terms of Rule 11 of the CEGAT (Procedure) Rules, 1982.

4. The copy of the order to be marked to the Chief Commissioner, Central Excise, Mumbai.