

C.C.E., Indore Vs. M/S. Cement Corporation of India

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SooperKanoon Citation : sooperkanoon.com/20692

Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Delhi

Decided On : Feb-02-2001

Appellant : C.C.E., Indore

Respondent : M/S. Cement Corporation of India

Judgement :

1. This Revenue appeal was dismissed vide Final Order dt. 26.6.2000 of the CEGAT on account of the Revenue not obtaining the clearance from the Committee of Secretaries to proceed with the matter as the Respondents are a Public Sector Undertaking.

2. The present ROM Petition is filed by the Revenue praying for the liberty to revive their appeal as and when the clearance certificate is produced by them.

3. I have heard Shri K. Panchatcharm, JDR for the Revenue and Shri Gautam Acharya, Advocate for the Respondents. The Id. Counsel for the Respondents very fairly stated that he has no objection if the Order dt. 26.6.2000 is modified as per the request of the Department.

Consequently, the following modification is ordered in the aforesaid Order of the Tribunal.

After the sentence - "Thus the appeal is dismissed" - the following should be added - "with the liberty to revive the same as and when the clearance certificate from the Committee of Secretaries is produced".

