

Commr. of Central Excise, Bbsr-ii Vs. M/S. Sail (Raw Material Division)

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SooperKanoon Citation : sooperkanoon.com/24511

Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Calcutta

Decided On : Jul-17-2001

Appellant : Commr. of Central Excise, Bbsr-ii

Respondent : M/S. Sail (Raw Material Division)

Judgement :

1. The prayer in the application is for restoration of the appeals dismissed earlier on 22.5.2000 for want of clearance certificate from the High Powered Committee. Now the Committee on Disputes vide its Meeting held on 22.2.2001 and circulated on 5th March, 2001, has permitted the appellants to pursue their appeals before the Tribunal.

We restore the appeal to its original numbers and take up the Stay Petitions filed by the Revenue for disposal.

2. The prayer in the stay petitions is for staying the operation of the impugned order of the Commissioner of Central Excise (Appeals) vide which the appeals filed by the respondents has been allowed. We find that the said order was passed in the year 1999 and has since been in operation. Accordingly, we find no justification for staying the operation of the same. The stay petitions are rejected and the main appeals are listed for hearing on 24th August, 2001.