

**Uma Printers Vs. Commissioner of Central Excise**

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**SooperKanoon Citation :** [sooperkanoon.com/36989](http://sooperkanoon.com/36989)

**Court :** Customs Excise and Service Tax Appellate Tribunal CESTAT Mumbai

**Decided On :** Nov-02-2004

**Reported in :** (2005)(180)ELT90Tri(Mum.)bai

**Judge :** A Wadhwa, A T V.K.

**Appellant :** Uma Printers

**Respondent :** Commissioner of Central Excise

**Judgement :**

1. On matter being called, nobody appeared on behalf of the appellants.

Our attention has been drawn to a letter dated 1-11-2004 written by M/s. Uma Printers, requesting for adjournment on the ground that they have not been able to collect the case papers and discuss the matter with their advocate.

2. Shri Hitesh Shah, Id. SDR, submits that the matter has been adjourned a number of times on request of the appellants and prays for dismissing the appeal for non-prosecution.

3. We find that the matters were listed on out of turn basis and have since been adjourned a number of times. The appellants were not justified in asking for another adjournment on the ground that the staff members were busy and unable to collect the case papers. We find that the last occasion the appellant's advocates were present and the staff being busy somewhere else cannot be taken as reasonable ground for adjourning the matters. Accordingly, we dismiss all the

appeals for non-prosecution.

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