SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Cc, Chennai Vs. M/S. Jamara Textile Processing Pvt. Ltd.

Cc, Chennai Vs. M/S. Jamara Textile Processing Pvt. Ltd.

SooperKanoon Citation : sooperkanoon.com/943416

Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Chennai

Decided On : Mar-11-2010

Judge : The Honourable Dr. Chittaranjan Satapathy, Technical Member

Appeal No. : C/S/90 of 2010 & C/101 of 2010

Appellant : Cc, Chennai

Respondent : M/S. Jamara Textile Processing Pvt. Ltd.

Advocate for Pet/Ap. : Shri C. Dhanasekaran, SDR, for the appellant. Shri R. Hari, Adv., for the respondent.

Judgement :

Heard both sides. I find that the lower appellate authority has remanded the matter to the original authority for issue of a favourable order after following the principles of natural justice. I find nothing wrong with his order as in the first instance, the original authority has not passed any speaking order. One fails to appreciate why the department is filing an appeal against the order of the lower appellate authority who was merely directed the original authority to pass a speaking order! As such, the department s appeal along with the stay petition is dismissed.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com