(2014) 07 BOM CK 0318

In the Bombay High Court

Case No : Central Excise Appeal No. 10 of 2014

G.S. Dhote APPELLANT

Vs

CESTAT RESPONDENT

Date of Decision : 04-07-2014

Acts Referred:

Citation : (2015) 316 ELT 624

Hon'ble Judges : B.R. Gavai, J;A.B. Chaudhari, J

Bench : Division Bench

Advocate : N.A. Chavhan, Advocates for the Appellant; Anand Deshpande, Standing Counsel, Advocates for the Respondent

Judgement

A.B. Chaudhari, J.—Admit: Appeal is taken up for final disposal with the consent of learned Counsel for rival parties. The short-question involved in the present Appeal is, whether the Appeal should have been heard on merits by the learned Member, Customs, Excise and Service Tax Appellate Tribunal (CESTAT) particularly when the Counsel for the appellant and Counsel for the respondents are ad idem on the issue of supply of attested copy of Order-in-Original. At any rate, learned Counsel for the appellant submits that he would supply copy of the Order-in-Original additionally if so required. That being so I make the following order:--

ORDER

"(1) Central Excise Appeal No. 10/2014 is partly allowed.

(2) The impugned order dated 7th February, 2014 passed by the learned Member, CESTAT is set aside. The appellant is at liberty to satisfy the CESTAT Registry about removal of objections. If the objections are removed within a period of four weeks, CESTAT Registry shall proceed further."