

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
and
THE HONOURABLE Ms.JUSTICE K.B.K.VASUKI

Civil Miscellaneous Appeal No.1453 of 2007
& M.P.Nos.1 and 2 of 2008

M/s.Charminar Exports,
No.19, Ponnappa Chetty Street,
Chennai - 600 079.

... Appellant

versus

1. Commissioner of Customs (Adjudication Unit),
Customs House, New No.60, Rajaji Salai,
Chennai - 600 001.

2. The Customs, Excise and Service Tax
Appellate Tribunal,
No.26, Haddows Road,
Chennai - 600 006.

... Respondents

PRAYER: APPEAL filed under Section 130 of the Customs Act against the order dated 04.12.2006 made in Final Order no.1254 of 2006 on the file of the Customs, Excise and Service Tax Appellate Tribunal, South Zonal Bench, Chennai

arising out of order in original No.3892 /2005 dated 6.6.2005 passed by the Commissioner of Customs (Exports) Chennai.

Arising against the order of the Customs Excise and service Tax Appellate Tribunal, Chennai-6 passed in Appeal No.C/PD/0003000 of 2005 dated 28.8.2005.

For Appellant : No appearance

For Respondents : Mr.K.Mohanamurali - R1

J U D G M E N T

(Delivered by R.SUDHAKAR,J.)

On 18.7.2014, when the matter called, it was stated by the Members of the Bar that Mr.S.Ignatius, counsel on record for the appellant passed away. Hence, this Court directed the Registry to issue notice to the appellant returnable by 31.7.2014. Accordingly, the notice sent by the Registry returned unserved with an endorsement that the company had vacated from the premises. Thereafter, the matter was adjourned on various dates. Again on 14.8.2014, when the matter was called, learned counsel appearing for the respondent undertook to serve notice on the appellant. Again this Court directed the Registry to serve notice to the appellant indicating the date of hearing. The said notice was also returned unserved with the following endorsement:

"Returned unserved. On enquiry being made by me and it is reported that above said company had vacated from this premises. Hence this copy was returned unserved.
Dated 27.8.2014."

2. The matter is posted today for hearing and the name of the appellant is printed in the cause list. When the matter is called today, there is no representation for the appellant. Hence, this appeal is dismissed with liberty to the appellant to revive the appeal, if they desire. No costs. Consequently, M.P.Nos.1 and 2 of 2008 are also dismissed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

s1

To

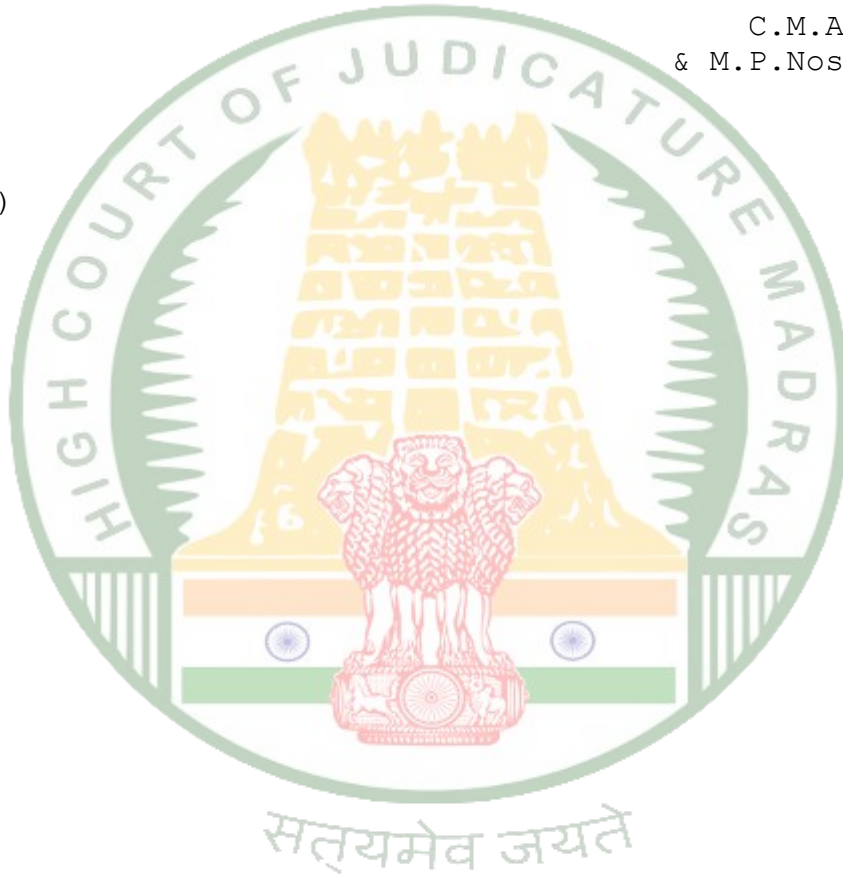
1. Commissioner of Customs (Adjudication Unit),
Customs House, New No.60, Rajaji Salai,
Chennai - 600 001.

2. The Customs, Excise and Service Tax
Appellate Tribunal,
South Zonal Bench, Chennai,
Shastri Bhavan Annexe,
Haddows Road, Chennai - 600 034.

1 cc to Mr.K.Mohanamurali, Advocate, Sr. 22740

C.M.A.No.1453 of 2007
& M.P.Nos.1 and 2 of 2008

CNR (CO)
kk 20/5



WEB COPY