

**Customs, Excise & Service Tax Appellate Tribunal
West Zonal Bench At Ahmedabad**

REGIONAL BENCH- COURT NO. 3

Excise Miscellaneous (ROA) Application No. 10219 of 2021

(On behalf of Appellant)

in

Excise Appeal No. 10303 of 2016

(Arising out of OIA-VAD-EXCUS-001-APP-324-2015-16 Dated- 03/11/2015 passed by Commissioner of Central Excise, Customs and Service Tax-VADODARA-II)

Styrolution Abs India P Ltd

Halol Kalol Road, Taluka : Halol,
Panchmahal, Gujarat

.....Appellant

VERSUS

C.C.E. & S.T.-Vadodara-ii

1st Floor... Room No.101,
New Central Excise Building, Vadodara, Gujarat-390023

.....Respondent

APPEARANCE:

Shri. Willingdon Christian, Advocate for the Appellant

Shri R K Bhashkar, Authorised Representative for the Respondent

CORAM: HON'BLE MR. RAMESH NAIR, MEMBER (JUDICIAL)

Miscellaneous Order No. M/ 10170 /2021

DATE OF HEARING:27.07.2021

DATE OF DECISION:27.07.2021

RAMESH NAIR

Shri. Willingdon Christian, Learned Counsel appearing on behalf of the applicant submits that the appeal was disposed of without passing any order on merit with liberty to approach this Tribunal as and when the issue is decided by the Hon'ble High Court. He submits that the Hon'ble High Court has passed the order in the case of C.C Vs. Jay Chemicals Industries Limited-2018 (19) GSTL 459 (Guj.) whereby, it was directed to this Tribunal to restore the appeal. The appeal would not have been disposed of without passing any order on merit. He also invited my attention to this Tribunal Order No. M/10154-10158/2021 dated 01.07.2021 where in the identical situation, the appeal was restored.

2. Considering the submission made by Learned Counsel, following the Hon'ble High Court judgment in the case of Jay Chemicals Industries Limited

(Supra) and also this Tribunal decision dated 01.07.2021, I restore the appeal in its original number. ROA application is allowed. Appeal to be listed in due course.

(Dictated & Pronounced in the open court)

(RAMESH NAIR)
MEMBER (JUDICIAL)

Neha