

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

REGIONAL BENCH- COURT NO.3

Misc. Application No. E/COD/10162/2019

(On behalf of Applicant)

in

Appeal No. E/10490/2019-DB

(Arising out of OIA-CCESA-SRT-APPEAL-PS-498-518-2018-19 dated 30.10.2018 passed by Commissioner (Appeals) Commissioner of Central Excise, Customs and Service Tax-SURAT-I)

M/s Bajinath Melaram

302, Sarthik, Opp. Atabhai Chowk,
Bhavnagar-364 001

.....Appellant

VERSUS

C.C.E. & S.T.-Daman

3rd Floor, Magnus Mall, Althan Bhimrad canal Road,
Near Atlantas Shopping Mall, althan, surat-395 017

.....Respondent

WITH

(i) Misc. Application No. E/COD/10163/2019 in Appeal No. E/10491/2019 (Guru Ashish Ship Breakers)

(ii) Misc. Application No. E/COD/10164/2019 in Appeal No. E/10492/2019 (Rushil Industries Ltd)

(iii) Misc. Application No. E/COD/10166/2019 in Appeal No. E/10494/2019 (Hari Krishna Steel Corporation)

(iv) Misc. Application No. E/COD/10170/2019 in Appeal No. E/10498/2019 (Bansal Ship Breakers Pvt. Ltd)

(Arising out of OIA-CCESA-SRT-APPEAL-PS-498-518-2018-19 dated 30.10.2018 passed by Commissioner (Appeals) Commissioner of Central Excise, Customs and Service Tax-SURAT-I)

APPEARANCE:

Sh. Sarju Mehta, CA for the Appellant

Shri G. Jha, Authorised Representative for Respondent

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

Misc. Order No. M/ 10211-10215 /2019

DATE OF HEARING/DECISION: 16.04.2019

PER: RAMESH NAIR

There is delay ranging from 32 to 37 days in filing the appeal.

2. Sh. Sarju Mehta Ld. CA appearing on behalf of the applicant submits that in the other appeals wherein the same issue involving

other ship breaker the delay of 37 days was allowed by this Tribunal vide Order No. M/ 11314-11315/2018 dated 13.11.2018.

3. Considering the submission made by Ld. CA we allow the COD applications.

(Dictated & Pronounced in the open court)

(Ramesh Nair)
Member (Judicial)

(Raju)
(Member (Technical))

Seema