

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

REGIONAL BENCH- COURT NO.3

Excise Misc. Application (EH) No. 10321 of 2020

(On behalf of Applicant)

in

Excise Appeal No.12211 of 2019

(Arising out of OIA-VAD-EXCUS-002-APP-150-2019-20 dated 28/06/2019 passed by Commissioner (Appeals) Commissioner of Central Excise, Customs and Service Tax-VADODARA-II)

Fosroc Chemicals India Pvt Ltd

.....Appellant

Plot No. 6203, 6204, Gidc Ankleshwar
Bharuch, Gujarat

VERSUS

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

.....Respondent

1st Floor...Central Excise Building,
Race Course Circle,
Vadodara, Gujarat-390007

APPEARANCE:

Shri B.V.Kumar, Advocate for the Appellant

Shri R P Parekh, Superintendent (AR) for the Respondent

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

Miscellaneous Order No. M/ 10116 /2022

DATE OF HEARING: 11.04.2022
DATE OF DECISION: 11.04.2022

RAMESH NAIR

Shri B.V.Kumar, Learned Counsel appearing on behalf of the applicant submits that though the amount involved is Rs.88 Lakhs but in the appellant's own case on the identical issue this Tribunal has considered the matter in order No. A/10782/2019 dated 03.05.2019 whereby, this tribunal has remanded the matter to decide afresh after examination of the items product wise.

02. Considering the submission made by Learned Counsel, early hearing application is allowed. Since, the identical issue involved in the present case which was earlier dealt with by this tribunal and passed order dated 03.05.2019 we are taking up the appeal itself for the disposal.

03. Heard both the sides. Order is reserved, to be pronounced on or before 13th June, 2022.

(Dictated and pronounced in the open court)

(RAMESH NAIR)
MEMBER (JUDICIAL)

(RAJU)
MEMBER (TECHNICAL)

Prachi