



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Central/Excise Appeal No. 128 / 2017

Union of India Through the Commissioner, Central Excise &
Service Tax Commissionerate, Jodhpur, 117/5, P.W.D. Colony,
Jodhpur (Rajasthan).

-----Appellant

Versus

1. M/s Shree Nath Gum & Chemicals, Having Its Registered
Address As E-278, MIA, Basani-II, Jodhpur, Rajasthan.

2. The Customs, Excise and Service Tax Appellate Tribunal, New
Delhi, Through: Registrar, West Block, R.K. Puram, New Delhi.

-----Respondents

For Appellant(s) : Mr. Falgun Buch

For Respondent(s) : -

HON'BLE MR. JUSTICE GOVIND MATHUR

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

24/08/2017

Having considered facts of the case, we are satisfied
that this appeal involves a substantial question of law in the terms
that :-

*"Whether the Customs, Excise and Service Tax
Appellate Tribunal is justified in accepting the appeal
preferred by the assessee irrespective of the fact that
the conditions referred in the Notification No.41/2007-
ST dated 06.10.2007 have not been complied with ?"*

Admit.



Issue notice.

No case is made out for grant of any interim relief. The request in this regard, thus, is rejected.

The appeal be listed for hearing in due course.

Connect with D.B. Central Excise Appeal No.118/2017.

(VINIT KUMAR MATHUR) J.

(GOVIND MATHUR) J.

Pramod



सत्यमेव जयते