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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO.123 OF 2014

M/s NSE IT Ltd. ..Appellant.
Vs.
The Commissioner of Service Tax ..Respondent.

Ms. Aparna Hirandagi for Appellant.
Mr. P.S. Jetly a/w Ms. Suchitra Kamble, for Respondent.

CORAM: B.R. GAVAI &
A.S. GADKARI, JJ.

DATE : 13th April 2015.

P.C.:

1 The learned Counsel appearing for the Appellant submits that since the issue of taxablity of the services provided by the appellant is directly involved in the present appeal, in view of the Apex Court's judgment in the case of Navin Chemicals Mfg. And Trading Vs. Collector of Customs, the appeal lie before the Apex Court.

2 In that view of the matter, the appeal is permitted to be withdrawn by reserving the right of the appellant to approach the Hon'ble Apex Court.

3 Needless to observe that the appellant was bonafide prosecuting this appeal before this Court, the appellant would be entitled for benefit of the Section 14 of the Limitation Act.

(A.S. GADKARI, J.) **(B.R. GAVAI, J.)**