

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO. 192 OF 2008

COMMISSIONER OF CENTRAL EXCISE,MUM

...Petitioner

Versus

M/S M.K. DYEING

...Respondent

Mr.Sagar Joshi i/b. Mr.Suhas M.Oak, for the Appellant.

Mr.Dilip Kumar Mishra i/b. Mr.S.P.Bharati, for the Respondents.

....

**CORAM : S.C. DHARMADHIKARI &
G.S. KULKARNI, JJ.**

DATED : 4th APRIL,2016

P.C.:

1. Mr.Sagar Joshi, learned Counsel appearing for the Revenue, on instructions, states that the Revenue may be allowed to withdraw this Appeal.

2. The appeal is withdrawn in the light of the Circular issued by the Revenue which determines the limit of monetary sums or the sum above which alone the appeals of the Revenue are to be pressed. Every appeal involving a sum mentioned below this limit would not be pressed

and on the Revenue's request the Court may dismiss it as withdrawn.

3. We have found that the Revenue is withdrawing the appeal though admitted on substantial questions of law. It is for the Revenue to decide and withdraw the appeal based on its Circular, but we clarify that we have expressed no opinion on the question of law nor on the legality and validity of the circular. Finding that no assistance would be rendered by the Revenue to decide the Appeal, we grant this request.

4. By clarifying as above, the appeal is allowed to be withdrawn and stands disposed of as such.

[G.S. KULKARNI, J.]

[S.C.DHARMADHIKARI, J.]