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FARAD CONTINUATION SHEET No.

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

CUSTOM APPEAL NO.34 OF 2016

Office Notes, Office Memorandam of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Pradeep S.Jetlyfor the Appellant
Mr.V.Sridharan, Senior Counsel a/w Mr.PrakashShah i/b PDS Legal for the Respondent.

CORAM : A.S.OKA, &
RIYAZ I. CHAGLA,JJ.
DATE : SEPTEMBER 11, 2017

P.C.

1 The learned senior counsel for the respondent has produced a copy of circular bearing No.1020/8/2016-CX dated 11th March 2016 issued by the Central Board of Excise and Customs, New Delhi. The circular is taken on record and marked `X' for identification. Clause (3) of the said circular reads thus:

"3 After detailed analysis, Hon'ble Tribunal held that in the given circumstances CVD shall not be leviable on the basis of Retail Sale Price. In view of the above, it is clarified the Judgment of Hon'ble Tribunal in case of M/s.Bharti Telemedia Limited (supra), may be followed for assessment of CVD on imported STBs, where the circumstances are identical."

2 Clause (3) shows that the Central Board of Excise and Custom has accepted the impugned decision of the Tribunal. Hence, nothing survives in this appeal and the same is disposed of. Pending Notice of Motion does not survive and the same is disposed of.

(RIYAZ I. CHAGLA,J.) (A.S.OKA,J.)