

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2017

CORAM

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER
and
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

C.M.A.Nos.2765, 2767 and 2768 of 2011
and M.P.Nos.1, 1 and 1 of 2011

The Commissioner of Central Excise
Coimbatore. ... Appellant in all the C.M.As

Vs.

1. M/s.Ammarun Foundries,
S.F.No.80/6A, Rathnagiri Road,
Vilankurichi Road,
Coimbatore-35.
2. The Customs Excise and Service Tax Appellate
Tribunal, South Zonal Bench,
Shastri Bhavan Annex,
26, Haddows Road,
Chennai-600 006. ...Respondent in all the C.M.As

Prayer : Appeals filed under Section 35G of the Central Excise Act, 1944, to set aside the CESTAT Final Order No.601-604/2007, dated 18.05.2007, (a) and the Order-in-Appeal Nos.9 to 11/2005-CE, dated 31.01.2005 passed by the Commissioner of Central Excise (Appeals) Coimbatore and restore Order-in-Original Nos.233/02 DC (Cbe II C) dated 31.12.2002, passed by the Deputy Commissioner of Central Excise, Coimbatore II Division. (CMA No.2765 of 2011).

(b) and the order in Appeal Nos:65 & 66 of 2005-CE dated 29.03.2005 passed by the commissioner of Central Excise (Appeal) Coimbatore and restore order in original Nos.298 of 2003 DC(cbe-II C) at 20.01.2003 passed by the Assistant commissioner of Central Excise, Coimbatore - II Division (CMA.No.2767 of 2011).

(c) and the order in Appeal Nos.9 to 11 of 2005-CE dated 31.01.2005 passed by the Commissioner of Central Excise (Appeals) Coimbatore and restore order in Original Nos.165 of 2003 DC (cbe-II C) dated 30.06.2003. Passed by the Deputy

Commissioner of Central Excise Coimbatore II Division (CMA No.2768 of 2011)

For Appellant : Mr.A.P.Srinivas

C O M M O N J U D G M E N T

(Judgment of the Court was delivered by RAJIV SHAKDHER,J.)

1.Mr.A.P.Srinivas, learned counsel for the appellant, says that the tax effect is less than the monetary limit, as fixed by the Central Board of Excise and Customs, vide Circular dated 17.12.2015, and amended by Circular dated 30.12.2016. Learned counsel says he has instructions to withdraw the appeals.

2. The appeals are, accordingly, dismissed as withdrawn. Resultantly, pending applications shall stand closed. There shall, however, be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Customs,
Excise and Service Tax Appellate Tribunal,
South Zonal Bench at Chennai.
2. The Commissioner / Deputy Commissioner /
Assistant Commissioner of
Central Excise Coimbatore II Division,
Coimbatore.

+1CC to Mr.A.P.Srinivas, Advocate SR.No.22997

C.M.A.Nos.2765, 2767 & 2768 of 2011

CO(RJ)
RS(08/06/2017)