

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.**

CENTRAL EXCISE APPEAL NO. 48 OF 2015

Commissioner of Central Excise & Customs

... Appellant

VERSUS

M/s. Godavari Khore Cane Transport Company (P) Ltd.,
Kopargaon, Dist. Ahmednagar.

... Respondent

.....

Mr D. S. Ladda, Advocate for the appellant

.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 15TH JANUARY, 2018.

ORDER:

1. Mr D. S. Ladda, learned counsel for the appellant, has placed on record the communication dt. 08.01.2018 asking him to withdraw the present appeal as the department wants to file appeal before the Apex Court in view of Section 35G(1) of Central Excise Act, 1944.

2. As it is submitted that the appeal is not maintainable before this Court, the appeal as such is disposed of as withdrawn. The appellant may take up such proceedings as are permissible in law.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE