

Sharayu Khot.

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

CENTRAL EXCISE APPEAL (L) NO. 27 OF 2018

The Commissioner of CGST **...Appellant**

Versus

M/s. The Indian Hotels Co. Ltd. **...Respondent**

Mr. Pradeep S. Jetly, a/w Mr. J.B. Mishra, for the Appellant.

Ms. Padmavati Patil, for the Respondent.

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, JJ.**

DATE : 5 September 2018

ORDER :

1. This Appeal under Section 35G of Central Excise Act, 1944 challenges the order dated 30th May 2017 passed by Customs, Excise and Service Tax Appellate Tribunal.

2. Our attention is invited to the instructions / circular dated 11th July 2018 issued by the Central Board of Indirect Taxes and Customs directing the Revenue not to file Appeals to the High Court where the tax effect is less than Rs. 50.00 Lakhs. It also directs its Officers to withdraw the pending Appeals where the tax effect is less than Rs. 50.00 Lakhs.

3. In the above view, Shri. Jetly, learned counsel appearing in support of the Appeal, on instructions of Shri. Shyam Raj Prasad, Commissioner, (CGST & CX), seeks to withdraw the Appeal. In fact, Shri. Shyam Raj Prasad, the Commissioner (CGST & CX), Mumbai South has filed a pursis to the above effect. The same is taken on record and marked "A" for identifications.

4. Accordingly, the Appeal is dismissed as withdrawn.

5. Refund of Court Fees as per Rules.

[RIYAZ I. CHAGLA J.]

[M.S. SANKLECHA, J.]