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

CENTRAL EXCISE APPEAL NO. 103 OF 2017

The Commissioner of Central Excise, ... Appellant
Customs & Service Tax

Versus

M/s. Vijay Logistics P. Ltd. ... Respondent

Mr. Swapnil Bangur with Mr. Dhnanjay Deshmukh for the Appellant.

**CORAM: M.S.SANKLECHA &
RIYAZ I. CHAGLA, JJ.**
DATED: 28TH AUGUST, 2018

PC:-

1. This Appeal under Section 35G of Central Excise Act, 1944 challenges the order dated 8th July, 2016 passed by Customs, Excise and Service Tax Appellate Tribunal.

2. Mr. Bangur, the learned counsel appearing in support of the Appeal on instructions from Mr. Milind Gawai, Central Tax Pune-I, Commissionerate seeks to withdraw this Appeal. This is on account of tax effect being less of Rs.50,00,000/- as provided in CBIC circular dated 11th July, 2018. In support of this he tenders a pursis filed by the Commissioner seeking to withdraw the Appeal in view of the CBIC circular dated 11th July, 2018. The pursis is taken on record and marked 'A' for identification.

Jitendra
Shankar
Nijasure

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4. Hence, the Appeal is dismissed as withdrawn. Refund of Court Fees, as per Rules.

(RIYAZ I. CHAGLA J.)

(M.S.SANKLECHA, J.)