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

CENTRAL EXCISE APPEAL NO. 153 OF 2014

The Commissioner of Central Excise,
Thane-I .. Appellant

v/s.

M/s. J.K. Processors ..Respondent

Ms. P.S. Cardozo for the appellant
Mr. Avinash Bhanage for the respondent

CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, J.J.

DATED : 4th OCTOBER, 2018.

P.C.

1. This appeal under Section 35G of the Central Excise Act, 1944 challenges the order dated 19th July, 2006 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal). This appeal was admitted on 10th April, 2008.

2. The instructions / circular dated 11th July, 2018 issued by the Central Board of Indirect Tax and Customs directs the Revenue not to file fresh appeals and also withdraw the pending appeals where the tax effect is less than Rs.50 lakhs.

3. In the above view, Ms. Cardozo, learned Counsel appearing in support of the appeal, on instructions of Mr. Sanjay Mahendru, Commissioner of CGST, Bhiwandi seeks to withdraw the appeal. In fact, Mr. Sanjay Mahendru, the Commissioner of CGST, Bhiwandi has filed a pursis dated 26th September, 2018 to the above effect. The same is taken on record and marked "A" for identification.

4. Accordingly, the appeal is dismissed as withdrawn.

5. Refund of Court Fees as per Rules.

(RIYAZ I. CHAGLA, J.) **(M.S. SANKLECHA, J.)**