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

CENTRAL EXCISE APPEAL NO. 111 OF 2007

The Commissioner of Central Excise,
Mumbai – III Commissionerate .. Appellant

v/s.

M/s. Vidyut Metallics Ltd. (Plant II) ..Respondents
Thane

Mr. J.B. Mishra for the appellant
Mr. Jas Sanghavi I/b PDS Legal for the respondents

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

DATED : 9th OCTOBER, 2018.

P.C.

1. This appeal under Section 35G of the Central Excise Act, 1944 challenges the order dated 6th September, 2006 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal). This appeal was admitted on 30th July, 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, Mr. Mishra, learned Counsel appearing in support of the appeal, on instructions of Mr. S.K. Vimalanathan, Commissioner, CGST & CX, Thane Commissionerate seeks to withdraw the appeal. In fact, Mr. S.K. Vimalanathan, Commissioner, CGST & CX, Thane Commissionerate has filed a pursis dated 24th November, 2017 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 Accordingly, the appeal is dismissed as withdrawn.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.)**