

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

CENTRAL EXCISE APPEAL NO. 128 OF 2008

The Commissioner of Central Excise
Thane

.. Appellant

v/s.

M/s. Classic Stripes Pvt. Ltd.
and Ors.

..Respondents

Mr. M. Dwivedi for the appellant
None for the respondent

**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 27th July, 2016 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal). The appeal was admitted on 27th August, 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. Dwivedi, learned Counsel appearing in support of the appeal, on instructions of Mr. Sham Raj Prasad, Commissioner of CGST and Service Tax, Palghar Commissionerate seeks to withdraw the appeal.

4. Accordingly, the appeal is dismissed as withdrawn.

5. Refund of Court Fees as per Rules.

(RIYAZ I. CHAGLA, J.)

(M.S. SANKLECHA, J.)