

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

CENTRAL EXCISE APPEAL NO. 140 OF 2007

The Commissioner of Central Excise & Customs ... Appellant.

V/s.

M/s. Astral Glass Pvt. Ltd., ... Respondent.

Ms. P. S. Cardozo, Advocate a/w. Mr. Sham Walve, APP for
the Appellant.

**CORAM : M.S. SANKLECHA And
RIYAZ IQBAL CHAGLA, JJ.**

DATE : SEPTEMBER 07, 2018

PC :

1 This Appeal under Section 35G of the Central Excise Act, 1944 challenges the order dated 20.11.2006 passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal), Mumbai.

2 This appeal was admitted on 10th July, 2018. Our attention is invited to the circular/ instructions dated 11th July, 2018 issued by the Central Board of Indirect Tax and the Custom. It 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. Shrikant S. Patil, Commissioner, CGST & Central Excise, Nashik seeks to withdraw the Appeal. In fact, the Commissioner (CGST & CX), Nashik has filed a pursis dated 29th May, 2018, as tendered by Ms. Cardozo, 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4 Accordingly, the Appeal is dismissed as withdrawn.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 IQBAL CHAGLA,J.)

(M.S.SANKLECHA,J.)

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