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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO.260 OF 2007

The Commissioner of Central Excise, Mumbai-V ..Appellant.
V/s.
M/s. Shree Datta Metal Industries ..Respondent.

Ms.Shalaka Gujar for the appellant.

CORAM: M.S.SANKLECHA AND
RIYAZ I. CHAGLA, JJ.

DATE : AUGUST 29, 2018

P.C.:-

This appeal under Section 35G of Central Excise Act, 1944 challenges the order dated January 11, 2007 passed by Customs, Excise and Service Tax Appellate Tribunal, Mumbai.

2. Ms.Gujar, the learned counsel appearing in support of the appeal on instructions from Mr.S.K.Vimalanathan, Commissioner, Central GST and Central Excise, Thane seeks to withdraw this appeal. This is on account of tax effect in this appeal being less than Rs.50,00,000/- as directed by the Central Board of Indirect Taxes and Customs instructions / circular dated July 11,

2018. In support of this she tenders a pursis dated August 3, 2018 filed by the Commissioner seeking to withdraw the appeal in view of the CBIC instructions / circular dated July 11, 2018. The pursis is taken on record and marked 'A' for identification.

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 Hence, the Appeal is dismissed as withdrawn.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

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