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

CENTRAL EXCISE APPEAL NO. 50 OF 2007

The Commissioner of Central Excise, Thane - II … Appellant

Versus

M/s. Karnataka Ginning and Pressing Factory …Respondent

Mr. M. Dwivedi with Ms. Ruju Thakkar for the Appellant.

CORAM: M.S.SANKLECHA &
RIYAZ I. CHAGLA, JJ.
DATED: 16TH OCTOBER, 2018

PC:-

1. This Appeal under Section 35G of Central Excise Act, 1944 challenges the order dated 24th February, 2016 passed by Customs, Excise and Service Tax Appellate Tribunal. This Appeal was admitted on 3rd July, 2008.

2. Our attention is invited to circular / instruction dated 11 July, 2018 issued by the Central Board of Indirect Taxes and Customs directing the Revenue not to file Appeals to the High Court where the tax effect is less than Rs.50 lakhs. It also directs its officers to withdraw the pending appeals where the tax effect is less than Rs.50 lakhs.

3. Mr. Dwivedi, the learned counsel appearing in support of the Appeal on instructions from Mr. Shyamraj Prasad, Commissioner

of CGST & C.Ex., Palghar Commissionerate seeks to withdraw this Appeal. In support of this he tenders a pursis 16th October, 2018 filed by the Commissioner seeking to withdraw the Appeal in view of the CBIC circular dated 11th July, 2018. The pursis is taken on record and marked 'A' for identification.

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 Hence, the Appeal is dismissed as withdrawn.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

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