

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

CENTRAL EXCISE APPEAL (L.) NO. 280 OF 2014

The Commissioner Central Excise & Service Tax,
Pune - I Commissionerate ... Appellant.

V/s.

Kumar Builder ... Respondent.

Mr. Sham Walve, a/w. Mr. Ram Ochani for the Appellant.
Ms. Padmavati Patil, Advocate for the Respondent.

**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 23.10.2013 (pronounced on 18.11.2013) passed by the Customs, Excise and Service Tax Appellate Tribunal (Tribunal), Mumbai.

2 This appeal was admitted on 28th September, 2017. 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, Mr. Sham Walve, learned Counsel appearing in support of the appeal, on instructions of Mr. Milind Gawai, Commissioner, CGST & Central Excise, Pune seeks to withdraw this Appeal. In fact, the Commissioner (CGST & CX), Pune has filed a pursis of August, 2018, as tendered by Mr. Walve, 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4 Accordingly, the Appeal is dismissed as withdrawn.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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