jsn

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

CENTRAL EXCISE APPEAL NO. 143 OF 2017

The Commissioner of Service Tax Pune … Appellant
Versus
M/s. Sanjay Automobile Engineers Pvt. Ltd. …Respondent

Mr. Swapnil Bangur, I/b Sham Walve, for the Appellant.
Mr. Makarand Joshi, I/b MAX Legal for the Respondent.

CORAM: M.S.SANKLECHA &
RIYAZ I. CHAGLA, JJ.
DATED: 3RD SEPTEMBER, 2018

PC:-

1. This Appeal under Section 83 of the Finance Act read with Section 35G of Central Excise Act, 1944 challenges the order dated 13th April, 2016 passed by Customs, Excise and Service Tax Appellate Tribunal.

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. Bangur, the learned counsel appearing in support of the Appeal on instructions from Vandana K. Jain, Commissioner, Central GST, Pune – II Commissionerate seeks to withdraw this

Appeal. In support of this he tenders a pursis 18th July, 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 Hence, the Appeal is dismissed as withdrawn.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.)**