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

CENTRAL EXCISE APPEAL NO. 75 OF 2017

The Commissioner of Central Excise Mumbai ... Appellant
– III Commissionerate

Versus

M/s. Blue Star Ltd. And Anr. ... Respondents

Mr. Swapnil Bangur, with Joel Carlos for the Appellant.
Mr. Jas Sanghavi and Ms. Divyasha Mathur, i/b PDS Legal for
Respondent.

**CORAM: M.S.SANKLECHA &
RIYAZ I. CHAGLA, JJ.**
DATED: 21ST AUGUST, 2018

PC:-

1. This Appeal under Section 35G of the Central Excise Act, 1944 challenges the order dated 28th May, 2014 passed by Customs, Excise and Service Tax Appellate Tribunal.
2. This Appeal relates to the dropping of penalty upon the Executive Director of the Respondent No.1.
3. The instructions / circular dated 11 July 2018 issued by the Central Board of Indirect Tax and Customs directs the Revenue not to file fresh Appeals and also withdraw the pending Appeals where the tax effect is less than Rs.50,00,000/-.
4. In the above view Mr. Bangur learned counsel for the Appellant on instructions received from Mr. S.K. Vimalanathan, Commissioner, Thane (CGST & CX), Commissionerate seeks to

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Nijasure

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withdraw the Appeal. In fact a Pursis dated 31 July 2018 has been filed by the above Commissioner and the same is taken on record and marked 'A' for identification.

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 Hence, the Appeal is dismissed as withdrawn.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

(RIYAZ I. CHAGLA J.)

(M.S.SANKLECHA, J.)