In the High Court of Judicature at Madras
Dated : 31.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM
and
The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Civil Miscellaneous Appeal No.1876 of 2016

The Commissioner of Central Excise
Chennai I Commissionerate,
Chennai-34 ...Appellant

Vs

1.M/s.Futura Fibres, Chennai-68

2.The Customs, Excise and Service
Tax Appellate Tribunal, South Zonal
Bench, Shastri Bhawan Annexe,
I Floor, 28, Haddows Road,
Chennai-6 ...Respondents

APPEAL under Section 35G of the Central Excise Act, 1944 against the order dated 03.9.2015 in Final Order No.41142/2015 on the file of the Customs, Excise and Service Tax Appellate Tribunal, South Zonal Bench, Chennai.

For Appellant : Mr.A.P.Srinivas

For Respondent-1 : Not ready in notice

R2 : Tribunal

Judgment was delivered by T.S.SIVAGNANAM,J

Heard the learned counsel for the appellant.

2. This appeal by the Revenue challenges the order passed by the Customs, Excise and Service Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw the appeal on account of low tax effect in terms of the circular dated 11.7.2018 issued by the Central Board of Indirect Taxes and Customs.

4. In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open. In the event the tax effect is above the threshold limit

fixed in the said circular, liberty is granted to the Revenue to make a mention to this Court to restore the appeal to be heard and decided on merits.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

The Customs, Excise and Service
Tax Appellate Tribunal,
South Zonal Bench, Chennai.

+1cc to Mr.A.P.Srinivas, Advocate, S.R.No.75425

CMA.No.1876 of 2016

EV(CO)

rrs 03/12/2018