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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CUSAA 63/2018 CM APPL. Nos. 12601-12602/2018

PARAMOUNT COMMUNICATION L TO ..... Appellant

Through: Mr. Vinay Garg and Mr. Uday Singh, Advocates.

versus

COMMISSIONER OF CUSTOMS IGI AIRPORT NEW DLEHI ..... Respondent

Through: Mr. Sanjeev Narula, Sr. Standing Counsel with Mr. Abhishek Ghai, Advocate for Customs.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% 04.04.2018

Learned counsel for the respondent states that the order-in-original and the appellate order passed by the Customs, Excise and Service Tax Appellate Tribunal determine and decide the issue and question relating to rate of duty and valuation. Hence the present appeal would not be maintainable before the High Court in terms of Section 130E of the Customs Act, 1962. He relies upon decision of this Court in ***Commissioner of Service Tax versus Ernst and Young Private Limited,*** 2014 (34) STR 3 (Del.).

In view of the aforesaid judgement and legal position, learned counsel for the appellant seeks permission to withdraw the present appeal and states that he would file an appeal before the Supreme Court of India.

In view of and in terms of the statement made, the appeal is dismissed as withdrawn without expressing any opinion on merits.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

APRIL 04, 2018
MR/pk