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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5370 OF 2016

M/s Satkartar Steels Pvt. Ltd.

..PETITIONER

VERSUS

The Customs, Excise & Service
Tax Appellate Tribunal & Ors.

..RESPONDENTS

Mr P. S. Gaikwad, Advocate for petitioner;
Mrs. (Dr.) Kalpalata Patil Bharaswadkar, Advocate for respondent
No.2;

**CORAM : PRASANNA B. VARALE
AND
ANIL S. KILOR, JJ.**

DATE : 6th NOVEMBER, 2019

ORAL ORDER:

Learned Counsel for the petitioner invited our attention to the affidavit filed on behalf of the petitioner dated 4th November, 2019. Perusal of the affidavit shows that certain statements are made in the affidavit, namely, the petition was filed by challenging the order of the Excise Tribunal and it was the claim of the petitioner that the petitioner company is eligible for availing the benefit of the scheme. It is stated in paragraph -2 of the affidavit that the company applied for availing the benefits of the scheme and on consideration of the case papers, the Central Excise Department granted the benefits of the scheme to the company and accordingly the company has paid all the

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excise duty as calculated by the department under the scheme towards full and final settlement of the claim of department.

2. It is further stated in the affidavit in reply that, as the dispute regarding excise duty between the petitioner company and the department is resolved and for this amicable settlement, the petitioner company accepted the conditions put forth by the Excise Department to withdraw the pending litigation and accordingly the petitioner be permitted to withdraw the petition and disposed the petition in view of the settlement arrived at between the petitioner company and the Excise Department.

3. In view of the affidavit filed on behalf of the petitioner, the petition is allowed to be withdrawn and same is disposed of as withdrawn.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)