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

CENTRAL EXCISE APPEAL {L} NO.118 OF 2018

The Commissioner of Central Tax &
Central Excise, Raigad Commissionerate .... Appellant
Vs.
Mallak Specialities Pvt. Ltd. .... Respondent

WITH

NOTICE OF MOTION NO.964 OF 2018
IN
CENTRAL EXCISE APPEAL {L} NO.118 OF 2018

WITH

NOTICE OF MOTION NO.965 OF 2018
IN
CENTRAL EXCISE APPEAL {L} NO.118 OF 2018

The Commissioner of Central Goods &
Service Tax & Central Excise, Raigad
Commissionerate .... Applicant

In the matter between

The Commissioner of Central Goods &
Service Tax & Central Excise, Raigad
Commissionerate .... Appellant
Vs.
M/s. Mallak Specialities Pvt. Ltd. .... Respondent

Mr. M. Dwivedi with Mr. J.B. Mishra for the Appellant.
None present for the Respondent.

CORAM: S.C. DHARMADHIKARI &
M.S. KARNIK, JJ.

**DATE : ** FEBRUARY 28, 2019

P.C:

1. In view of the written *pursis* filed by the appellant/Revenue and in the light of the instructions issued by the Ministry of Finance, Department of Revenue, Central Board of Indirect Taxes & Customs (Judicial Cell), New Delhi, dated 11-7-2018, enhancing the monetary limits within which every appeal of the Revenue, if filed, be withdrawn, we allow withdrawal of this appeal but by clarifying that the issue of law, if any, arising in the appeal is kept open for decision in an appropriate case. The appeal accordingly stands disposed of.

2. In view of disposal of the appeal as withdrawn, Notices of Motion Nos.964 & 965 of 2018 do not survive and they accordingly stands disposed of.

(M.S. KARNIK, J.) (S.C. DHARMADHIKARI, J.)