

O-203

CEXA/3/2012

IN THE HIGH COURT AT CALCUTTA  
SPECIAL JURISDICTION (CENTRAL EXCISE)  
ORIGINAL SIDE

M/s. PHILIPS CARBON BLACK LTD. DURGAPUR.

-VERSUS-

COMMISSIONER OF CENTRAL EXCISE, BOLPUR  
COMMISSIONERATE, BIRBHUM.

BEFORE :

THE HON'BLE JUSTICE SURYA PRAKASH KESARWANI

AND

THE HON'BLE JUSTICE AJAY KUMAR GUPTA

Date : 4<sup>th</sup> July, 2024.

Appearance:

*Mr. Shovit Betal, Adv.  
... for the appellant.*

*Mr. K. K. Maiti, Adv.  
..for the respondent.*

1. Heard Sri Betal, learned counsel for the appellant and Sri Maiti, learned senior standing counsel for the respondent.
2. Learned counsel for the appellant states that pursuant to the impugned remand order No.A-303/Kol/2011 dated 22.09.2011 in Excise Appeal No.ADM-710/2004 and CO No.36/05 passed by the Customs, Excise & Service Tax Appellate Tribunal, East Zonal Bench, Kolkata, the adjudicating authority has passed a fresh order and thereafter the appellant has applied for settlement of dispute under the *Sabka Visas Legacy Dispute Resolution Scheme* in which Form-3 has been issued. Form-4 is yet to be issued for which leave may be granted to withdraw the appeal so that the authority may issue Form-4 and the matter may stand settled.

3. Learned senior standing counsel for the respondent has no objection to the aforesaid request of learned counsel for the appellant.
4. In view of the aforesaid, the appeal (CEXA/3/2012) is allowed to be withdrawn and is accordingly disposed of.

(SURYA PRAKASH KESARWANI, J.)

(AJAY KUMAR GUPTA, J.)

As.