

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE ELEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE SRI JUSTICE SUJOY PAUL
AND
THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO**

CENTRAL EXCISE APPEAL NO: 32 OF 2008

Appeal filed under Section 35G of the Central Excise Act, 1944 against the Order dated 15.11.2006 passed in Appeal No. E/700/2004, Final Order No. 1903 on the file of the Customs, Excise and Service Tax Appellate Tribunal, South Zonal Bench, Bangalore preferred against the Order dated 31.03.2004 passed in Order-in-Original No. 11/2004 on the file of the Commissioner, Customs and Central Excise, Hyderabad-II Commissionerate, Hyderabad.

Between:

The Commissioner of Central Tax and Central Excise, Secunderabad GST Commissionerate, GST Bhavan, Basheerbagh Hyderabad.

...Appellant

AND

M/s. Sunder Silk Mills (P) Ltd., 1-8-673, IDA., Azamabad, Hyderabad-20

...Respondent

**Counsel for the Appellant : Sri Dominic Fernandes,
Senior Standing Counsel for CBIC**

Counsel for the Respondent : Sri S. Ravi

The Court delivered the following: JUDGMENT

THE HONOURABLE SRI JUSTICE SUJOY PAUL

AND

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

CEA.No.32 of 2008

JUDGMENT *(per Hon'ble SP,J)*

Sri Dominic Fernandes, learned Senior Standing Counsel for CBIC, for the appellant, seeks to withdraw this appeal with the liberty to file afresh in the event, it falls within the exceptions to the circular dated 06.08.2024, issued by the CBIC.

2. Learned counsel for the other side has no objection.
3. Accordingly, this Appeal is dismissed as withdrawn with the liberty prayed for. No costs.

Interlocutory applications, if any pending, shall also stand closed.

Sd/- K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Customs, Excise and Service Tax Appellate Tribunal, South Zonal Bench, Bangalore
2. The Commissioner, Customs and Central Excise, Hyderabad-II Commissionerate, Hyderabad.
3. One CC to Sri Dominic Fernandes, Senior Standing Counsel for CBIC, Advocate [OPUC]
4. One CC to Sri S. Ravi, Advocate [OPUC]
5. Two CD Copies

Njb/gh



HIGH COURT

DATED:11/09/2024

JUDGMENT

CEA.No.32 of 2008



DISMISSING THE CEA
AS WITHDRAWN

⑦
12/11/24
BKS