

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: 21 OF 2008

Central Excise Appeal filed under Section 35G of the Central Excise Act, 1944 against the Order dated 15.11.2006 passed in Appeal No. E/709/2004, Final Order No. 1901 on the file of the Customs, Excise & Service Tax Appellate Tribunal, South Zonal Bench, FKCCI – WTC Building, K.G. Road, Bangalore preferred against the Order dated 31.03.2004 passed in Order – in – Original No. 11 of 2004-C.EX on the file of the Commissioner of Customs and Central Excise, Hyderabad – II Commissionerate, L.B.Stadium Road, Basheerbagh, Hyderabad.

Between:

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

(Amended vide Court Order dated 23.07.2024 in I.A.No. 1 of 2024)

...Appellant

AND

Sri Bharat Kumar Agarwal, M/s.Sunder Silk Mills [P] Ltd, 1-8-673, IDA.,
Azamabad, Hyderabad - 500 020.

...Respondent

Counsel for the Appellant : Sri Dominic Fernandes, Senior SC 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.21 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 Accordingly, this Appeal is dismissed as withdrawn with the liberty prayed for.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/-A.V.S.S.C.S.M.SARMA
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Customs, Excise & Service Tax Appellate Tribunal, South Zonal Bench, FKCCI – WTC Building, K.G. Road, Bangalore. (with records, if any)
2. The Commissioner of Customs and Central Excise, Hyderabad – II Commissionerate, L.B.Stadium Road, Basheerbagh, Hyderabad
3. One CC to Sri Dominic Fernandes, Senior SC for CBIC, Advocate [OPUC]
4. One CC to Sri S. Ravi, Advocate [OPUC]
5. Two CD Copies

Njt/DL

9

HIGH COURT

DATED:11/09/2024



JUDGMENT

CEA.No.21 of 2008

DISMISSING THE CEA
AS WITHDRAWN

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