

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
WEST ZONAL BENCH : AHMEDABAD**

REGIONAL BENCH - COURT NO. 3

EXCISE Appeal No. 10064 of 2021

[Arising out of Order-in-Original/Appeal No CCESA-SRT-APPEAL-PS-444-2019-20 dated 30.09.2019 passed by Commissioner (Appeals) Commissioner of Central Excise, Customs and Service Tax-SURAT-I]

CAPRIHANS INDIA LIMITED

.... Appellant

Plot No. 16t, Wagle Industrial Estate, Thane
Mumbai, Maharashtra - 400604

VERSUS

Commissioner of Central Excise & ST, Daman

.... Respondent

3rd Floor, Adarsh Dham Building, Vapi-Daman Road,
Opp.Vapi Town Police Station, Vapi, Gujarat - 396191

APPEARANCE :

Shri Ishan Bhatt, Advocate for the Appellant
Shri Sharad Airan, Assistant Commissioner (AR) for the Respondent

**CORAM: HON'BLE MR. RAMESH NAIR, MEMBER (JUDICIAL)
HON'BLE MR. RAJU, MEMBER (TECHNICAL)**

FINAL ORDER NO. A/12272 / 2021

DATE OF HEARING/ DECISION : 02.07.2021

RAMESH NAIR :

Sri Ishan Bhatt, learned Counsel appearing on behalf of the appellant submits that he has instructions from the appellant to withdraw the appeal for the reason that this appeal was filed as an abundant precaution against certain observations in the order whereby learned Commissioner (Appeals) remanded the matter to the Adjudicating Authority. Since now, the adjudicating authority has passed denovo order on merit as well as on limitation therefore, they have no grievance after passing such order.

2. Considering the submission made by learned Counsel, the appeal is dismissed as withdrawn.

(Dictated and pronounced in the open court)

**(Ramesh Nair)
Member (Judicial)**

**(Raju)
Member (Technical)**