

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE
TRIBUNAL
REGIONAL BENCH : ALLAHABAD
COURT No. I**

APPEAL No. E/952/2012-EX[DB]

(Arising out of Order-in-Appeal No.258-CE/APPL/ALLD/2011 dated 15/12/2011 passed by Commissioner (Appeals), Customs & Central Excise, Allahabad)

M/s Shri Durga Industries

Appellant

Vs.

Commissioner of Central Excise, Allahabad

Respondent

Appearance:

Shri Ashish Vaish (CA)

for Appellant

Shri Pawan Kumar Singh (Supdt.) AR

for Respondent

CORAM:

Hon'ble Mrs. Archana Wadhwa, Member (Judicial)

Hon'ble Mr. Anil G. Shakkarwar, Member (Technical)

Date of Hearing : 23/05/2018
Date of Decision : 23/05/2018

FINAL ORDER NO. – 70948/2018

Per: Archana Wadhwa

Learned representative, Shri Ashish Vaish (CA), appearing for the appellant submits that the appeal has become infructuous and thus seeks to withdraw the same.

2. Explaining further, learned advocate submits that the appeal stands filed against the impugned order of the Commissioner (Appeals), vide which the matter was remanded. In the remand proceedings Assistant Commissioner again confirmed the demand which was

challenged before Commissioner (Appeals), who set aside the same. As such nothing survives in the present appeal.

3. In view of the for-going we dismiss the appeal as withdrawn.

(Dictated & Pronounced in Court)

Sd/-
(Anil G. Shakkarwar)
Member (Technical)

Sd/-
(Archana Wadhwa)
Member (Judicial)

Lks