

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
REGIONAL BENCH : ALLAHABAD**

ST/56819/2013-CU[DB]

(Arising out of Order-in-Original No.49/Commissioner/Noida/2012-13 dated 14.12.2012 passed by Commissoiner, Customs, Central Excise & Service Tax, Noida.)

Commissioner of Customs, Central Excise & Service Tax, Noida

...APPELLANT(S)

VERSUS

M/s.Loesche India Pvt.Ltd.

RESPONDENT (S)

APPEARANCE

Shri Pawan Kumar Singh (Supdt.) (A.R.) for the Revenue

Shri B.L.Narasimhan (Advocate) & Ms.Tanvi Singh (Advocate) for the Respondent

CORAM:

SHRI ASHOK JINDAL, HON'BLE MEMBER(JUDICIAL)

SHRI ANIL G. SHAKKARWAR, HON'BLE MEMBER(TECHNICAL)

DATE OF HEARING/DATE OF DECISION : 27.12.2018

FINAL ORDER NO.72931/2018

Per Ashok Jindal :

Heard the parties.

2. Considering the fact that against the impugned order the respondent has also filed appeal before this Tribunal and this Tribunal vide Final Order No.ST/A/51355/2014 dated 01.04.2014 has remanded the matter back to the adjudicating authority for fresh adjudication.

3. As the impugned order has already been set aside by the Tribunal therefore we hold that the appeal filed by the Revenue has become infructuous. Accordingly the same is dismissed as infructuous.

(Dictated and pronounced in the open Court.)

SD/
(ANIL G. SHAKKARWAR)
MEMBER(TECHNICAL)

SD/
(ASHOK JINDAL)
MEMBER (JUDICIAL)

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