

**IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
SOUTH ZONAL BENCH, CHENNAI**

C/Misc./41690/2018 and C/40171/2013

(Arising out of Order-in-Appeal C. Cus. No. 1200 to 1202/2012 dated 26.10.2012 passed by the Commissioner of Customs (Appeals), Chennai)

Commissioner of Customs, Chennai

Appellant

Vs.

J.S. Sathyamurthy

Respondent

Appearance

Ms. T. Usha Rani, DC (AR) for the Appellant

Shri G. Shanmugam, Advocate for the Respondent

CORAM

Hon'ble Ms. Sulekha Beevi C.S., Member (Judicial)

Hon'ble Shri Madhu Mohan Damodhar, Member (Technical)

Date of Hearing / Decision: **29.08.2018**

Final Order No. **42319 / 2018**

Per Bench

Revenue has filed the present miscellaneous application seeking to withdraw the appeal with liberty to file appeal before proper forum as the issue relates to demand of drawback availed fraudulently by the exporter.

2. Prayer of Revenue is allowed and the appeal is dismissed as withdrawn with liberty to move appropriate forum for redressing the grievance. Miscellaneous application is also disposed accordingly.

(Operative portion of the order was
pronounced in open court)

(Madhu Mohan Damodhar)
Member (Technical)

(Sulekha Beevi C.S.)
Member (Judicial)

Rex