CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL
CHENNAI

REGIONAL BENCH - COURT No. III

Excise Appeal No. 40743 of 2017

(Arising out of Order-in-Original No.48/2016-Commr. dated 30.12.2016 passed by Commissioner of Central Excise, Customs & Service Tax, 6/7, A.T.D. Street, Race Course, Coimbatore 641 018)

M/s.LMW Ltd. .... **Appellant**
(formerly known as M/s.Lakshmi Machine Works Ltd.)
Unit-I Perianaickenpalayam,
S.R.K.V. Post,
Coimbatore 641 020.

VERSUS

The Commissioner of GST &
Central Excise, ... **Respondent**
No.6/7, A.T.D. Street,
Race Course Road,
Coimbatore 641 018.

APPEARANCE :

Shri M. Saravanan, Consultant for the Appellant
Shri M. Selvakumar, Authorized Representative for the Respondent

CORAM :

HON'BLE MR. P. DINESHA, MEMBER (JUDICIAL)
HON'BLE MR. VASA SESHAGIRI RAO, MEMBER (TECHNICAL)

FINAL ORDER No.40325/2026

DATE OF HEARING : 11.11.2025
DATE OF DECISION :04.03.2026

Per: Shri P. Dinesha

This Appeal is filed against Order-in-Original No. 48/2016-Commr. dated 30.12.2016 passed by Commissioner of Central Excise, Coimbatore.

2. Brief and relevant facts as could be gathered from the Appeal records as well as the written submissions are that Appellant is a manufacturer of goods such as Parts of Textile machinery like 'Rings & Spindles', 'Gears' and 'Bearings' etc. They were removing the goods on payment of duty on stock transfer basis to their sister units for further use in the manufacture of textiles machinery following self-assessments and self-removal procedure under the provisions of Central Excise Rules (CER), 2002. They were also availing the facility of Cenvat credit on inputs, capital goods and input services under the provisions of Cenvat Credit Rules (CCR), 2004. However, they had stopped the manufacturing activity and closed down their factory with effect from October 2012 onwards and had shifted their plant and machinery to LMW-Unit I, Perianaickenpalayam by way of merger. It appeared to the Revenue that Appellant had contravened the provisions of **(i)** Rule 6 of CER inasmuch as they had failed to correctly assess themselves

and appropriate value of goods cleared on stock transfer basis to their sister units and the duty payable thereon; **(ii)** Rule 8 of CER as they had failed to pay appropriate duty liability on the above goods; **(iii)** Rule 8 of the Central Excise Valuation (Determination of Price of Excisable Goods) Rules (CEVR), 2000 read with Section 4 (1) (b) of Central Excise Act, 1944 and Rule 9 of CEVR 2000; and **(iv)** Rule 12 of CER as they had failed to file the correct details of the goods cleared in the E.R.1 returns and failed to discharge the differential duty liability within the specified date for the goods cleared during the Financial Years from 2009-10, to 2012-13, resulting in short payment of duty amounting to Rs.2,48,93,177/-. The above was therefore proposed to be recoverable under Section 11A (1) (as it existed upto 07.04.2011) and Section 11A (4) (w.e.f. 08.04.2011 onwards) of the Act *ibid,* along with equal penalty under Section 11AC of the Act *ibid* along with read with Rule 25 of CER.

3. It was observed by the Revenue that the goods removed by Appellant on stock transfer basis were in the nature of semi-finished goods which were subsequently consumed captively for further use in the manufacture of textile machinery by the respective sister units and they in

turn cleared the textile machinery manufactured on payment of duty, sister units did not clear any goods received from Appellant 'as such' on payment of duty. It appeared that when the excisable goods were not sold by the Assessee, but were used captively by them or by the sister units or used on their behalf in the manufacture of other articles, the valuation of such goods for the purpose of payment of Central Excise Duty had to be made as per Rule 8 of CEVR i.e. the value shall be 110% of the cost of production or manufacture of such goods.

4. It appeared from the details provided by the Assessee that they had excluded certain expenses from the total expenses as per Profit & Loss Account during the said period and the net expenses had been taken into consideration for arriving at the cost of production as per CAS-4. The following expenses were therefore proposed to be added by the Department to the cost of production and duty demand on the 110% of this expenses :

Year	Expenses pertaining to Manufacturing of other items	Administration Overheads	Research and Development Cost	Total
2009-10	0	30,85,525	13,22,95,991	13,53,81,516
2010-11	70,51,111	12,02,247	4,19,71,913	5,02,25,271

2011-12	0	28,30,259	5,78,86,940	6,07,17,199
2012-13	0	1,35,486	2,50,022	3,85,508
TOTAL	**70,51,111**	**72,53,517**	**23,24,04,866**	**24,67,09,494**

Hence, a Show Cause Notice dated 05.11.2015 was issued to the Appellant proposing to invoke proviso to Section 11A (1) (as it existed upto 07.04.2011) and Section 11A (4) (w.e.f. 08.04.2011) to demand duty for the extended period of 5 years and to recover short-paid duty amount on the goods cleared on inter-unit transfer basis during the Financial Years 2009-10 to 2012-13 along with applicable interest and to impose equal penalty under Section 11AC *ibid*. After due process, the Adjudicating Authority vide Order-in-Original No.48/2016-Commr. dated 30.12.2016 confirmed the proposals made in SCN. Aggrieved by this order, the present Appeal has been filed before this forum.

5. Shri M. Saravanan, Ld. Chartered Accountant appearing for the Appellant made the following submissions :

EXPENSES PERTAINING TO MANUFACTURING OF OTHER ITEMS:

5.1 The Adjudicating Authority in para 22.3 of impugned order has admitted that sale income has been shown in the Financial Year 2009-2010 and 2011-2012 and accepted that this expenditure will not form part of the taxable value of stock transferred goods in these years. However, he added this expenditure in Financial Year 2010-11 for the only reason that there was no income from sales and the basis of allocation of expenses was not given by the Appellant.

5.2 These expenses are fixed in nature and it pertains to manufacture of other goods and in no way connected with the Rings and Spindle production activity. It is not the case of the Department here that these expenses were incurred as part of Rings and Spindle Production activity. Their case is that since there is no other income in the Financial Year i.e. FY 2010-11, these expenses are to be added to the cost of production of the Rings and Spindle. In this regard, it was submitted that in their own case in respect of Foundry unit, similar expense was added for the reason that there was no income and the basis of allocation expenses was not known for the first/initial as well as subsequent periods; the First Appellate Authority had set aside the demands for the subsequent periods but Original Authority confirmed the demand for the first period (2008-2013) which, on Appeal by Assessee, was set aside by Tribunal vide Final Order No.40444-40447/2023 dated 06.02.2023.

5.3 It was hence prayed by the Appellant to delete Rs.70,51,111/- added to the cost of production of Rings and Spindles and consequent demand of Excise Duty on the 110% of this value may be set aside and allow the Appeal to this extent.

ADMINISTRATIVE OVERHEADS:

6. The Adjudicating Authority has added these expenses for the reason that the Appellant had availed cenvat credit on these expenses. The Appellant submitted that merely because credit was availed on certain services, which are not directly used in the production of Rings and Spindles, the same is not includible as per CAS-4 and hence, the demand may be set aside. Appellant submitted that in their own case in respect of Foundry unit, for the very same reason these expenses were added which is evident from the Show Cause Notice dated 27.08.2014 issued to this unit, this

Bench, on Appeal, vide Final Order No.40444-40447/2023 dated 06.02.2023 has set aside the demand and allowed the Appeal; since this issue is already settled in their favour, Appellant prayed for deletion of Rs.72,53,517/- added to the cost of production of rings and spindles and consequent demand of Excise Duty on the 110% of this value be set aside by allowing the Appeal to this extent.

RESEARCH AND DEVELOPMENT:

7.1 Appellant further submitted that the Adjudicating Authority in para 11.6.3 of the impugned order having extracted the reply filed by them wherein they have categorically stated that Research and Development expenses was not incurred towards Spindles and Rings manufactured and stock-transferred to their units; the same was incurred towards the Research and Development of HL insert assembly, which was a new product. During the period under dispute, Appellant was importing this item and used the same in the manufacture of Spindles and this cost was already included in the cost of production. The Adjudicating Authority in para 24.2 though has acknowledged this claim, but has without discussion held that various expenses incurred was primarily intended to improve the quality of the finished goods and to impart competitive edge to the business. Without any basis, it has been held that this expenses was incurred towards various aspects such as development of new manufacturing process, optimum utilization of raw material, downscaling of process, process time, adoption of new technical knowhow etc. and therefore, it should form part of the cost of production as per CAS-4.

7.2 The Appellant submitted that as per CAS-4, only Research and Development cost incurred for development and improvement of the process or the existing product alone could be included in the cost of production, but here this expenditure was incurred towards Research & Development of a new product viz. HL insert assembly and not towards development and improvement of the process on the existing product. Hence, these expenses cannot be added to the cost of production of the Rings and Spindles as it is incurred towards development of a new product altogether. It was thus prayed by the Appellant that the addition of Rs.23,24,04,866/- to the cost of production and consequent demand of Excise Duty on the 110% of this value may be set aside and allow the Appeal to this extent.

7.3 Reliance was placed on **Anglo French Textiles Vs. CCE, Puducherry** – 2018 (360) ELT 1016 [Tri. Chennai] wherein the Bench had considered demand on account of Valuation of Goods transferred to sister unit and the Tribunal had set aside the demand on account of revenue-neutrality. This decision was upheld by the Hon'ble Apex Court, as reported in **2018 (360) ELT A301 (SC).**

7.4 Further, in the case of **Hyundai Motor India Pvt. Ltd. Vs CCE & ST, LTU, Chennai** – 2019 (29) GSTL 452 (Tri-Chennai), demand was set aside on account of Revenue-neutrality, which was also upheld by the Hon'ble Apex Court, as reported in **2020 (32) GSTL J154 (SC).**

8. Without prejudice to the above, ld. Chartered Accountant contended that the extended period of limitation was not invokable as nothing was brought out record to prove "Suppression or Fraud". It was submitted that the entire activity was a revenue-neutral and hence, the allegation of suppression of fact, with an intent to evade payment of duty, is clearly unsustainable. Moreover, it was claimed that the method of valuation adopted by the Appellant for inter-unit transfers were known to the Department as early as in 2008 itself and the same was

accepted by the Department all along; the unit was subject to EA 2000 Audit by the Central Excise Authorities and after completion of the Audit, the team had observed in one of the paras about non-adoption of 110% of the value of the goods cleared to their own unit, duty payable was arrived at, which was also paid along with interest, as is evident from the Audit Report dated 26.06.2013.

9. Ld. Chartered Accountant also submitted that Dynamic Costing System adopted by them in all their units was known to the Department in 2008 itself, which is evident from the Range Authority's letter [OC No. 3608/2008 dated 15.11.2008], wherein he has acknowledged the communication by the Appellant about this to the Department [letter their dated 28.10.2008]. The Range Officer also called for CAS-4 for 2 products and cross checked with invoice price and found the same to be tallying, which was also communicated to the Appellant's jurisdictional Assistant Commissioner. Further, this issue was discussed in the October 2008 MCM and reported to the Commissioner and Additional Commissioner and there was no objection raised by any of them and hence, the valuation method adopted by the LMW Group as a whole was accepted by the Department and no further action was taken.

10. It was submitted that they have informed the method of valuation adopted by them for inter-unit transfers and Department, after verifying, had accepted the same. Hence, there is no scope to allege suppression of facts with intention to evade payment of duty in this case. Cost Audit conducted at their Foundry and Machine Shop unit based on which notice dated 27.08.2014 was issued by the Department and orders were passed which was subject matter of dispute before this Tribunal and the Tribunal vide Final Order Nos.40444-40447/2023 dt. 16.06.2023 disposed the Appeals. Hence, the SCN issued on 05.11.2015 invoking extended period is unsustainable, as ruled by the Hon'ble Apex Court in the following decisions:

(i) **Nizam Sugar Factory Vs. Collector of Central Excise, AP.** - 2006 (197) ELT 465 [SC].

(ii) **ECE Industries Limited Vs. Commissioner of Central Excise, New Delhi** - 2004[164] ELT 236 [S.C.]

(iii) **Hyderabad Polymers [P] Ltd., Vs. Commissioner of C.Ex, Hyderabad** - 2004 [166] ELT 151 [S.C.]

11. Further, the Valuation method adopted for inter-unit transfers by all the Units of the Appellant company LMW as a whole was known to the Department and the same was

accepted by Department also. This being the case, the allegation of Appellant having suppressed the facts from the knowledge of the Department with an intent to evade payment of duty is factually incorrect and legally unsustainable.

12. Appellant also submitted that this Bench, in their own case, vide Final Order dated 16.06.2023 rejected the Appellant's contention as to invocation of extended period for the reason that various issues were involved, while in this case, it is purely an interpretational one viz., 'whether expenses incurred towards Research & Development of a new product viz. HL insert assembly can be added to the cost of production of the Rings and Spindles or not?'. Hence this decision is clearly distinguishable and not applicable to the present set of facts. Thus, Ld. Counsel prayed that Appeal may be allowed.

13. *Per contra*, Shri M. Selvakumar, Ld. Assistant Commissioner relied on the reasoning in the impugned order. He would also counter the grounds urged by the Appellant; his submissions are summarized as under:

13.1 In respect of 2010-11, no raw materials were consumed for the manufacture of other goods; only wages were paid for goods sold other than Inter Unit transfer and no sales were made. During the year, 2010-11, the Appellant had no factory sales and only inter unit clearances were made and during the other periods, factory sales were there and hence, only the expenses relating to the manufacture of other items during 2010-11 were taken for computation. Since, the Appellant was found to be following Profit-Centre based accounting system, the reasoning that the expenditure shown under the head "Others" in the breakup details of P&L without any sale income for other goods was incorrect and hence, the exclusion of expenses pertaining to this aspect from the 'CAS-4' value was not found to be in order.

13.2 At Para 5.7 of CAS-4 regarding Administrative Overheads in relation to activities other than manufacturing activities shall be excluded from the cost of production even in respect of the aforesaid expenses, the expenses *inter-alia* include expenses relating to legal professional charges, Travelling & Maintenance of vehicles, security expenses etc. The Appellant had taken CENVAT Credit of Service Tax paid on the said expenses as such expenses appeared to be in relation to input services used in or in relation to the manufacture of the final product as defined under Rule-2(l) of CCR. The Appellant knowing that the said expenses were in or in relation to the manufacturing activity, availed the CENVAT Credit, which are towards the factory premise of manufacture. Therefore, these expenses cannot be excluded from the cost of production and hence, addition of the aforesaid administrative overheads in computation for the purpose of CAS-4 is legally tenable and sustainable in law and is order.

13.3 Various elements of expenditure incurred towards R&D is primarily intended to improve the quality of the finished goods and to impart a competitive edge to the business. It is not possible to forego such kind of expenditure, but to load on the value of goods since the same has been incurred towards various aspects such as development of new manufacturing process, optimum utilization of raw materials, downscaling of process waste process, process time, adoption of new technical knowhow, etc. Hence, the expenses related to development & improvement of product and the same should form part of cost of the products and is includible in the CAS-4 value.

13.4 In cases where the question of captive consumption arises, Circular No. 692/8/2003-CX dated 13.02.2003 issued by the Govt. of India, Ministry of Finance and Company Affairs, Department of Revenue, New Delhi clarified that the cost of production of captively consumed goods should be done strictly in accordance with Cost Accounting Standard-4 ['CAS-4' for short] issued by the ICWAI. The Appellant has not adopted the appropriate 'CAS-4' Value in respect of the goods cleared on stock-transfer basis to their sister units for the purpose payment of duty at time of removal of goods from the factory, in the ER-1 returns, they have not declared the appropriate value of goods and the appropriate duty paid thereon. Even though the Appellant was well within the knowledge that the cost of production arrived at as per CAS-4 had to be adopted in respect of such clearances to their sister units, they did not produce the CAS-4 statement to the Department for all the years for verification of value adopted by them. Further, the expenses excluded from the CAS-4 statement could be known to the Appellant only after the end of the financial year at the time of finalization of financial accounts. In such a case, it is too difficult to accept the costing generated on a day-to-day basis. Thus, the reconciliation statement had been prepared in such a way as to cover-up undervaluation made for all the years and their failure to file CAS-4 to the Department appeared be to with intent to evade payment of duty.

13.5 The fact of non-adoption of the appropriate 'CAS-4' and undervaluation of goods thereof had come to light but for the fact being unearthed by the Officers of the Department, the same practice had continued till 2012-13, i.e., until, they stopped manufacturing activity and closed down their factory with effect from Oct'2012. It was also noticed that the financial statement for the year 2009-10 required to be finalized by 30.09.2010 and the CAS-4 statement for the said period 2010-11 was due for filing immediately thereon. However, the Appellant filed the CAS-4 statement for the year 2009-10 only on 13.11.2014. Thus, the value and differential duty payable thereon has to be demanded from 2009-10 to 2012-13 by invoking the extended period of five years under the provisions of proviso to Section 11A (1) (up to 07.04.2011) and Section 11A (4) for the later period.

13.6 The Appellant deliberately avoided payment of correct duty by not resorting to CAS-4 for arriving at the cost of production of goods which resulted in short payment of duty to the tune of Rs.2,48,93,177/-and also did not disclose the fact of such non-adoption of correct value to the Department, there was also non-disclosure of facts resulting in short payment of duty. It is the obligation of the Appellant to pay the correct duty following the law and procedure when it becomes due and payable, withholding the same or following their own procedure, negating the express provisions of law citing revenue-neutrality is violation of law under CER. Further, revenue-neutrality is not an established principle of taxation jurisprudence. The Appellant must pay the Tax first if the same is payable irrespective of whether the same is eligible as CENVAT or not, at a later stage. In this regard, Ld. A.R relied upon the Hon'ble Supreme Court judgment in **CCE Mumbai Vs Mahindra & Mahindra Ltd.** - 2005 (179) ELT 21 (SC).

13.7 Regarding imposition of equal penalty under Section 11AC *ibid*, it is submitted that demand is not based on the interpretation of legal provisions and notifiations as claimed by the Appellant. The fact of non-adhenerence to the mandated procedure as per law to arrive at the correct assessabel value as per Rule 8 of CEVR read with supplemntary instructions and the consequenital assessment of goods cleared to their own unit at lower assessable value than as per law was not disclosed by the Appellant, they have not given any reasons as to why the same was not disclosed in the correspondences with the Department. Non-disclosure of any fact is only concealment or suppression of facts. Non-disclosure of any fact cannot be said to be without any motive or intention to evade payment of duty especially when they have paid only lesser amount of duty on the clered goods. Since the Appellant had contravened the provisions of CER and CEVR and hence, rendered themselves liable for penalty. He prayed that Appeal may be dismissed.

14. Heard both sides and perused the documents placed on record; we have also carefuly considered the rival conentions advanced by both the parties during hearing and also respective written submissions. Upon hearing both the sides, following issues arise for our consideration :

(i) Expenses pertaining to manufacturing of other items

(ii) Administative Overheads

(iii) Reserch & Development Expenses

(iv) Whether invocation of extended period as per proviso to Section 11A (1) [upto 07.04.2011] and Section 11 (4) [w.e.f 08.04.2011) is justified or not ?

(v) whether imposition of equal penalty under Section 11AC is sustainable or not ?

15. We find that the **issue (i)** viz. Expenses pertaining to manufacturing of other items has already been decided in Appellant's favour in their own case by this Tribunal vide Final Order dt. 16.06.2023 (*supra*). Relevant para of the order is reproduced below :

> "The Commissioner (Appeals) vide OIA No.262/2017 dt. 09.10.2017 has set aside the demand for the period 2013-2014. So also for the period 2014-2015, the demand in respect of machine shop expenses and notional power cost expenses has been set aside by the Commissioner (Appeals) vide OIA No.295/2018 dt. 28.05.2018. Later, for the period 2015-2016 the demand raised in the SCN on these two expenses has been dropped by the adjudicating authority vide OIO 8/2018 dt.31.05.2018. It is not submitted that the department has filed any appeal against these issues. The department having accepted the view that machine shop expenses and notional power cost are not to be included in the cost of production for the period from 2013-14, 2014-15 and 2015-16, we are of the view that the demand confirmed for the period 2008-2013 in E/41271/2015 on Machine Shop expenses and Notional power cost requires to be set aside, which we hereby do.

Accordingly, the demand under this head cannot sustain and deserves to be set aside, which we hereby do.

16. We find that **issue (ii)** Administrative Heads also stands covered by the said Tribunal's order, relevant part of the order is reproduced below :

26. Administrative Overheads :

Ld. Consultant has submitted that the expenses incurred in the nature of Printing and Stationary, Postage, Telegrams and Telephones, Travelling expenses & Maintenance of vehicles, License and Taxes, Legal and Professional charges etc. have been ordered to be included in the cost of production. It is submitted that these are non-manufacturing activities and as per para 5.7 of the CAS-4 such expenses do not require to be included in the value for the purpose of discharging duty. For ease of reference, para 5.7 pf CAS-4 is reproduced :

"5.7 Administrative Overheads

> Administrative overheads needs to be analysed in relation to production activities and other activities. Administrative overheads in relation to production activities shall be included in the cost of production. Administrative overheads in relation to activities other than manufacturing activities e.g. marketing, projects management, corporate office expenses etc. shall be excluded from the cost of production."

27. From the above, it can be seen that such expenses which are not in relation to the manufacturing activity and in the nature of marketing, projects management, corporate office expenses have to be excluded. The various expenses under dispute are printing, stationary, telegram, telephone etc. These are nothing but in the nature of corporate office expenses. Every manufacturing unit will require such expenses which are usually incurred in the day to day administration of the unit. The department has denied exclusion of such expenses for the reason that the appellant has availed credit on such expenses. It has to be understood that credit is availed on the basis of the law contained in

> CCR 2004. If the activity falls within the definition of "input services", the manufacturer will be eligible to avail credit. Repair and Maintenance of office works, courier services, marketing and promotion services etc. are eligible for credit. However, para 5.7 of CAS-4 states that expenses in the nature of marketing and corporate office expenses are not to be included. This means that expenses under 'administrative overheads' which are directly and exclusively used for manufacturing activity only have to be included in the cost of production. For this reason, we are of the considered view that the demand raised by including the administrative overheads in the assessable value cannot sustain and requires to be set aside, which we hereby do.

Following the same, we set aside the demand raised under "Administrative Overheads".

17. Insofar as **issue (iii)** i.e. Research & Development is concerned, we find that the Appellant claimed that the same was incurred towards Spindles & Rings but only towards Research and Development (R&D) of HL-insert assembly – which was a new product. At paragraphs 24.1 and 24.2 of the Order-in-Original, the Original Authority assumes that various expenditure towards R & D were primarily to improve quality of the finished products, etc. but however, he has not given any evidence or basis to assume so and hence, the above finding is clearly on assumptions and presumptions. There is also no discussion at all by the Adjudicating Authority on the merits or otherwise of the claim of the Appellant that the R & D expenditure related

only towards the HL-insert assembly which was a new product, according to them. We are therefore of the view that this requires *de novo* adjudication.

18. The next and last **issue (iv)** is the invocation of extended period of limitation. Our attention was invited to page 142 of the paper book filed by the Appellant which is a letter issued by the Range Authority to the Assistant Commissioner holding jurisdiction and based on this it was contended that the Adjudicating Authority had acknowledged the communication and the officer also called for CAS-4 for 2 products. A perusal of the said letter dt. 15.11.2008 indicates that the Appellant had only pleaded as to the adopting Activity Based Cost (ABC) system of cost accounting which, according to them, was definitely higher than the CAS-4 value. The Authority has observed that in the absence of CAS-4 statement it was not possible to verify as to the claims of the Appellant. There is an observation that in view of large number of products involved CAS price in respect of 2 products was called for and cross checked with the invoice price which was found to be tallied and that the same also had the approval of Commissioner and the

Assistant Commissioner. The period of dispute in the present Appeals are 2009-10 to 2012-13 (upto September 2012) and the SCN came to be issued on 05.11.2015.

19. We find that the additions which are disputed here, in these Appeals revolve around the method of valuation adopted by the Appellant for interunit transfers; from the letter issued by the Range Officer in his letter dt. 15.11.2028 we also find that the Department was very much in the know of the method adopted by the Appellant, but the Revenue only doubted the correctness of the same. That *per se* would not amount to 'suppression' of any material facts, that too with 'intent' to evade duty and the same, as validly contended by the Appellant, stands duly supported by the above letter of the Range Officer and hence, we are of the view that the invocation of extended period of limitation is clearly without any basis and hence, the same is not in accordance with law. In this regard, we find that the decisions of the Hon'ble Supreme Court relied by the Appellant clearly support their case.

20. In view of the above discussion, we set aside the impugned order and allow the Appeal on limitation alone. Appeal stands disposed of on the above terms.

(Order pronounced in open court on 04.03.2026)

sd/-	sd/-
(VASA SESHAGIRI RAO)	**(P. DINESHA)**
Member (Technical)	Member (Judicial)

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