**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL, NEW DELHI**
**PRINCIPAL BENCH, COURT NO. I**

**Service Tax Appeal No. 789 of 2010**

[ Arising out of Order-in-original No. 18/2010 dated 11.3.10 passed by the Commissioner (Adjn) of Service Tax, Delhi]

**M/s. Indusind Media & Communications Ltd.** — **Appellant**

Vs.

**Commissioner of Service Tax Delhi** — **Respondent**

Appearance:

**Ms Samriti Amin, Advocate for the Appellants**
**Shri Sanjay Jain, AR for the Respondent**

**CORAM:**

**Hon'ble Mr. Justice (Dr.) Satish Chandra, President**
**Hon'ble Mr. V. Padmanabhan, Member (Technical)**

Date of Hearing/ Decision: 17.07.2017

**FINAL ORDER NO. 55539 /2017**

**Per: Justice (Dr.) Satish Chandra:**

The present appeal is filed against Order-in-Original No. 18/2010 dated 11.3.10. It is the submission of the learned Counsel that substantial demand relates to leasing aspect and such aspect is in litigation before the learned Commissioner (Appeals) for the said period. This appeal relates to examination of admissibility of Cenvat credit. Since, such a proposition is coming up, same was supposed to be disposed of by Commissioner (Appeals) but during the course of argument, either of the parties was not able to inform status of the case.

2. In the circumstances, both the parties have agreed that the matter may be remanded to the adjudicating authority for redetermination. In the result, the impugned order is set aside and matter sent back to adjudicating authority to decide the issue de novo after having verdict of Commissioner (Appeals).

3. In the result, the appeal filed by the appellants is allowed by way of remand.

*(Dictated and pronounced in the open Court)*

**( V. Padmanabhan )**
**Member (Technical)**

**(Justice (Dr.) Satish Chandra)**
**President**

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