

IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL,
WEST BLOCK NO.2, R.K. PURAM, NEW DELHI-110066

BENCH-SM

COURT -II

Customs Misc. Application No.C/Misc./51558/2016-SM
Customs Appeal No.C/52313/2016 [SM]

[Arising out of Order-in-Appeal No.CC(A)-Cus/D-II/ICD
PPG/672/2016 dated 21.07.2016 passed by the Commissioner
(Appeals), New Custom House, New Delhi]

M/s.Singh Overseas

...Appellant

Vs.

C.C., New Delhi

... Respondent

Present for the Appellant : Ms.Nidhi, Advocate

Present for the Respondent: Mr.K. Poddar, D.R.

Coram: HON'BLE MR. S.K. MOHANTY, MEMBER (JUDICIAL)

Date of Hearing/Decision: 06/09/2017

FINAL ORDER NO. 56450/2017

PER: S.K. MOHANTY

This appeal is directed against the impugned order dated 22.07.2015 passed by the Commissioner of Customs (Appeals), New Delhi.

2. The Id. Advocate appearing for the appellant submits that against the provisional release of goods, the appeal was filed before the Commissioner (Appeals), which was rejected vide the impugned order dated 22.07.2015. She submits that since the show cause notice has already been issued by the Department, this appeal filed before the Tribunal is infructuous and accordingly, she prays for withdrawing the appeal.

3. The Id. D.R. appearing for the Revenue has no objection for the prayer made by the appellant. Therefore, with the consent of both sides, the appeal is dismissed as withdrawn. As the Appeal is dismissed, consideration of the Misc. Application does not arise. Accordingly, the same is disposed of.

[Dictated and pronounced in the Open Court]

(S.K. MOHANTY)
MEMBER (JUDICIAL)

Anita