

**CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL  
REGIONAL BENCH AT HYDERABAD**

Division Bench

Court - I

**Appeal No. E/2852/2011**

(Arising out of Order-in-Original No. 28/2011 (MP) dt.30.04.2011 passed by CCCE &  
ST, Visakhapatnam - I)

CCCE, Visakhapatnam - I

..... Appellant(s)

Vs.

Concast Ferro Inc

..... Respondent(s)

**Appearance**

Shri C. Mallikarjun Reddy, Superintendent/AR for the Appellant.

None for the Respondent.

**Coram:**

**HON'BLE Mr. M.V.Ravindran, MEMBER (JUDICIAL)**

**HON'BLE Mr. P. Venkata Subba Rao, MEMBER (TECHNICAL)**

Date of Hearing: 29.03.2019

Date of Decision: 29.03.2019

**FINAL ORDER No. A/30445/2019**

**[Order per: M.V.Ravindran.]**

1. When this matter was called out, we find that the revenue is in appeal against the impugned Order-in-Original No. 28/2011 (MP) dated 30.04.2011 only on the ground that the adjudicating authority has not imposed penalty which amounts approximately Rs.10,42,816/-. We find that the amount involved is less than the amount which can be litigated by the revenue, as per the new litigation policy. Accordingly, we dismiss the appeal only on the monetary ground of new litigation policy of the Government of India.

(Dictated and pronounced in the open Court)

**(P.VENKATA SUBBA RAO)  
MEMBER (TECHNICAL)**

**(M.V. RAVINDRAN)  
MEMBER (JUDICIAL)**