

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
EAST REGIONAL BENCH : KOLKATA**

**Misc.Application No.77421/2018
Appeal No.E/76623/2017**

(Arising out of Order-in-Appeal No.103/SLG-C.Ex./2017 dated 22.05.2017
passed by the Commissioner of Central Excise (Appeal-I), Kolkata)

Commissioner of Central Excise & Service Tax, Siliguri
...APPELLANT(S)

VERSUS

M/s Darjeeling Cement

...RESPONDENT (S)

APPEARANCE

Shri A.K.Biswas, Suptd.(AR) for the Appellant
None for the Respondent.

CORAM:

HON'BLE SHRI P. K. CHOUDHARY, JUDICIAL MEMBER
Hon'ble SHRI V.Padmanabhan, Member (Technical)

Date of Hearing/Decision : 12.11.2018

ORDER NO.FO/76883/2018

Per Bench :

The present appeal has been filed by the department against the Order-in-Appeal No.103/SLG-C.Ex./2017 dated 22.05.2017. Appellant Revenue has prayed for withdrawal of their appeal in terms of litigation policy vide CBIC instruction being F. No. 390/Misc./116/2017-JC dated 11/07/2018.

2. Shri A.K.Biswas, Suptd.(AR) appeared on behalf of the department. None appeared on behalf of the respondent assessee.

3. In view of the above, the prayer of the Revenue is allowed and the appeal is dismissed as withdrawn. Misc. Application is also disposed of.

(Dictated and Pronounced in the Open Court)

S/d.

(P. K. CHOWDHARY)
MEMBER (JUDICIAL)

S/d.

(V.Padmanabhan)
MEMBER (TECHNICAL)