

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

Misc.Application No.77337/2018
Appeal No.ST/33/2011, CO-71138/2013

(Arising out of Order-in-Original No.18/Commr/ST/Kol/2010-11 dated
10.11.2010 passed by the Commissioner of Service Tax, Kolkata)

Commissioner of Service Tax, Kolkata

...APPELLANT(S)

VERSUS

M/s MAS Construction Pvt. Ltd.

...RESPONDENT (S)

APPEARANCE

Shri A.K.Biswas, Suptd.(AR) for the Appellant
Shri Susanta Kr. Saha, CMA for the Respondent.

CORAM:

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

Date of Hearing/Decision : 13.11.2018

ORDER NO.FO/76893/2018

Per Bench :

The present appeal has been filed by the department against the Order-in-Original No.18/Commr/ST/Kol/2010-11 dated 10.11.2010 . 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. Shri Susanta Kr. Saha, CMA 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 In view of the above, the prayer of the Revenue is allowed and the appeal is dismissed as withdrawn.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. CO is also disposed of.

(Dictated and Pronounced in the Open Court)

S/d.

(P. K. CHOWDHARY)
MEMBER (JUDICIAL)

S/d.

(V.Padmanabhan)
MEMBER (TECHNICAL)