

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE
TRIBUNAL, KOLKATA
EASTERN ZONAL BENCH: KOLKATA**

**Misc. Application No. 77435/2018
Appeal No. ST/76937/2018**

Arising out of Order-in-Appeal No. 465/HWH/ST/2017-18 dated 01.01.2018
passed by the Commissioner of CGST & Central Excise (Appeals-II), Kolkata.

Commissioner of CGST & Central Excise, Howrah.

Applicant (s)/Appellant (s)

Vs.

M/s S. K. Sharma,

Respondent (s)

Appearance:

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

CORAM:

HON'BLE SHRI P. K. CHOUDHARY, MEMBER (JUDICIAL)

Date of Hearing/Decision: - 05.11.2018

Order No...MO/75996/2018 & FO/A/76916/2018

Per SHRI P. K. CHOUDHARY:

The present appeal has been filed by the department against the Order-in-Appeal No. 465/HWH/ST/2017-18 dated 01.01.2018 dated 08.03.2018. 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 In view of the above, the prayer of the Revenue is allowed and the appeal is dismissed as withdrawn.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)

**(P. K. Choudhary)
Member (Technical)**

T. K.