

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,  
KOLKATA  
REGIONAL BENCH – COURT NO.2**

**Ex. Misc. Application No. 77029 of 2019  
AND  
Ex. Appeal No. 189 of 2010**

Arising out of Order-in-Appeal No.57/Kol-VII/09 dt. 23/12/2009 passed by Commr. of Central Excise (Appeal-I), Kolkata

**Commr. of Central Excise, Kol-VII**  
Bamboo Villa, 4<sup>th</sup> Floor, 169 AJC Bose Road  
Kol-700014

**Appellant (s)**

*VERSUS*

**M/s. Besco Ltd.**  
Baruipur, Distt. 24 Parganas (South)

**Respondent (s)**

**APPEARANCE :**

Shri A. K. Biswas, A. R. for the Appellant  
None for the Respondent

**CORAM:**

**HON'BLE MR. P. K. CHOUDHARY, MEMBER (JUDICIAL)  
HON'BLE MR. BIJAY KUMAR, MEMBER (TECHNICAL)**

**ORDER NO.MO/77388/2019 & FO/76424/2019**

Date of Hearing/Decision : 23.10.2019

**PER BENCH :**

The present Miscellaneous Application has been filed by the Revenue praying for withdrawal of their Appeal in terms of National Litigation policy circulated vide Board's instruction being F. No. 390/Misc./116/2017-JC dated 22.08.2019.

2. Shri A. K. Biswas, Suptd. (A. R.) appeared on behalf of the Revenue. None appeared on behalf of the Respondent.

3. We find that the appeal is covered under National Litigation Policy. Accordingly, the prayer of the Revenue is allowed and the appeal is dismissed under National Litigation Policy.

(Dictated and pronounced in the open court.)

**Sd/-**

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

**Sd/-**

**(Bijay kumar)  
Member (Technical)**

Pooja