

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
KOLKATA
REGIONAL BENCH – COURT NO.1**

**Ex. Miscellaneous Application No. 77385 of 2019
AND
Ex. Appeal No. 152 of 2012**

Arising out of Order-In-Appeal No.01/CE/B-I/2012 dtd. 03.01.2012 passed by Commissioner (Appeals), Central Excise, Customs & Service Tax, Bhubaneswar.

Commr. of Central Excise, Customs & S. Tax, BBSR-I
C. R. Building, Rajaswa Vihar,
Bhubaneshwar-751007, Orissa

Appellant (s)

VERSUS

M/s. Gupta Power Infrastructure Ltd.
Cuttack Road,
Bhubaneswar, Odisha-751006

Respondent (s)

APPEARANCE :

Shri A. K. Biswas, Authorized Representative for the Appellant
None for the Respondent

CORAM:

**HON'BLE MR. P. K. CHOUDHARY, MEMBER (JUDICIAL)
HON'BLE MR. P. V. SUBBA RAO, MEMBER (TECHNICAL)**

**MISC. ORDER NO. 75119/2020
FINAL ORDER NO.75167/2020**

Date of Hearing : 28 January 2020
Date of Decision : 28 January 2020

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.

Ex. Appeal No. 152 of 2012

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/-

(P. V. Subba Rao)
Member (Technical)

Pooja