

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

**Ex. Miscellaneous Application No. 76650 of 2019
AND
Ex. Appeal No. 667 of 2011**

Arising out of Order-In-Appeal No.59/PAT/Central Excise/Appeal/2011 dated 08/04/2011 passed by the Commissioner (Appeals), Customs & Central Excise, Patna.

Commr. of Central Excise, Patna

3rd Floor, C. R. Building (Annexe), Birchand
Patel Path, Patna-800001

Appellant (s)

VERSUS

M/s. Herbal (APS) Pvt. Ltd.

B. M. Das Road, Patna

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)**

Date of Hearing : 31 January 2020

Date of Decision : 31 January 2020

PER BENCH:

Miscellaneous Application is allowed. Appeal is dismissed under National Litigation Policy. For order, see order of date in Ex. Misc. Application No. 76649 of 2019 AND Ex. Appeal No. 419 of 2011.

(Dictated and pronounced in the open court.)

Sd/-

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

Sd/-

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

Pooja