

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL,
KOLKATA**

EASTERN ZONAL BENCH : KOLKATA

REGIONAL BENCH - COURT NO.2

Service Tax Misc. Application No. 77603 of 2019 (Withdrawal)

And

Service Tax Appeal No. 75569 of 2019

(Arising out of Order-in-Appeal No. 397/HWH/ST.2018-19 dated 15.10.2018 passed by Commissioner CGST & Central Excise (Appeals-II), Kolkata.

Commissioner of CGST & Cx, Howrah

M. S. Building, 15/1 Strand Road, Kolkata-700001.

...Appellant

VERSUS

M/s Berger Paints India Limited

14 & 15, Swarnamoyee Road, Shibpur, Botanic Garden,
Howrah-711103.

.....Respondent

APPEARANCE

Shri A. Roy, Authorized Representative for Appellant (s)

None, for the Respondent (s)

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

Mo No. 75072/2021 & Final Order No. 75367/2021

DATE OF HEARING : 08 July 2021

DATE OF DECISION : 08 July 2021

Shri P.K.CHOUDHARY :

The Miscellaneous Application has been filed by the applicant/appellant i.e. revenue hearing for withdrawal of their appeal in terms of National Litigation Policy vide Board's Instruction being F.No. 390/Misc/116/2017-JC dated 22 August 2019.

2 Accordingly, the prayer of the Revenue is allowed and the appeal is dismissed under National Litigation Policy. Misc. application also gets disposed off.

(Dictated and pronounced in the open Court.)

Sd/-

**(P.K.CHOUDHARY)
MEMBER (JUDICIAL)**

T.K.