

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

REGIONAL BENCH – COURT NO.1

**Excise Misc. Application No.75304 of 2021
And
Excise Appeal No. 76889/2016**

Arising out of Order-in-Appeal No. 83-84/DGP/2016-17 dated 17.08.2016 passed by the Commissioner of Central Excise (Appeals-II), Kolkata.

Commissioner of Customs, Central Excise & S. Tax, Durgapur.

Satyajit Roy Sarani, City Centre, Durgapur, Dist.-Burdwan, West Bengal-713216.

.Appellant (s)

VERSUS

M/s. Modern India Concast Ltd.,

Plot No. L-7 to L-15, Bishnupur Industrial Growth Centre, Village & P.O.-Dwarika, Bishnupur,
Dist.-Bankura, W. B. Pin No. 722122.

...Respondent (s)

APPEARANCE :

Shri Joydeep Chattopadhyay, Authorized Representative for the Appellant

None, for the Respondent

CORAM:

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

Misc. Order No. 75313/2021

Final Order No. 75919/2021

DATE OF HEARING: 27.12.2021

DATE OF DECISION: 27.12.2021

PER P. K. CHOUDHARY :

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 August 2019.

2. Shri Joydeep Chattopadhyay, learned Authorized Representative appeared on behalf of the Appellant. None appeared on behalf of the Respondent.

3. On perusal of records, I find that the amount involved in the present case is below the monetary limit of Rs.50.00 lakhs which has been notified vide Board's instruction being F. No. 390/Misc/116/2017-JC dated 22 August 2019. 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)**

Tushar