

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

REGIONAL BENCH – COURT NO. 2

Excise Appeal No. 879 of 2011

(Arising out of Order-in-Appeal No. 83-84/Kol-VII/2011 dated: 07.07.2011 passed by
Commissioner of (Appeals-I), Central Excise, Kolkata.)

M/s Carbac Holding Ltd.

(Bhasa, Diamond Harbour Road, P.O.- Bishnupur, Dist-24 Parganas (South))

...Appellant

VERSUS

Commr. of CGST & CX, Kolkata-VII

(169, A.J.C. Bose Road, Kolkata.)

...Respondent

APPERANCE :

None for the Appellant

Mr. S.S. Chattopadhyay, Authorized Representative for the Respondent

CORAM:

HON'BLE MR. R. MURALIDHAR MEMBER (JUDICIAL)

HON'BLE MR. K. ANPAZHAKAN MEMBER (TECHNICAL)

FINAL ORDER No. 77483/2023

DATE OF HEARING : 03.11.2023

DATE OF DECISION : 03.11.2023

PER: R. MURALIDHAR :

We find that the Appellant has filed this Appeal being agitated by the OIA. It is seen from the Registry record that against the same OIA, the Appellant has already filed E/851/2011. Since that the matter has already been taken up for disposal, the present Appeal is liable to be dismissed as infructuous. Accordingly, this Appeal stands dismissed as infructuous.

**Sd/-
(R. Muralidhar)
Member (Judicial)**

**Sd/-
(K. Anpazhakan)
Member (Technical)**

Pinaki