

**IN THE CUSTOMS, EXCISE AND SERVICE TAX APPELLATE  
TRIBUNAL, KOLKATA  
EASTERN ZONAL BENCH : KOLKATA**

REGIONAL BENCH - COURT NO.2

**Excise Appeal No.61 of 2012**

(Arising out of Order-in-Appeal No.133-134/KOL-II/2011 dated 17.11.2011 passed by Commissioner of Central Excise (Appeals), Kolkata-II.)

**M/s. PXL Enterprises**

(27, Nityadhan Mukherjee Road, Howrah-711101.)

**...Appellant**

*VERSUS*

**Commissioner of Central Excise, Kolkata-II**

(GST Bhawan, 180, Shantipally, Rajdanga Main Road, Kolkata.)

**.....Respondent**

**APPEARANCE**

Shri Kartick Chandra Koley, Authorized Representative for the Appellant (s)  
Shri J.Chattopadhyay, Authorized Representative for the Revenue

**CORAM: HON'BLE SHRI R. MURALIDHAR, MEMBER(JUDICIAL)  
HON'BLE SHRI K. ANPAZHAKAN, MEMBER(TECHNICAL)**

**FINAL ORDER NO. 77564/2023**

DATE OF HEARING : 28 November 2023  
DATE OF DECISION : 28 November 2023

**Per : R. MURALIDHAR :**

The Appellant has paid the entire confirmed demand along with interest and 25% penalty within 30(thirty) days from the passing of the Order-in-Original as recorded by the Ld.Commissioner(Appeals) in para 21 of his order. The Appellant has submitted a letter that they are not contesting the amount already paid by them and they have submitted a letter seeking to withdraw their Appeal.

2. After noting that the lower authority has recorded the details of the amounts already paid by them against the confirmed demand and the Appellant's submission that they will not seek any refund from the

department towards such payment, we allow the Appeal to be withdrawn.

3. The Appeal is disposed of thus.

(Dictated and pronounced in the open Court.)

Sd/

**(R. MURALIDHAR)**  
**MEMBER (JUDICIAL)**

Sd/

**(K. ANPAZHAKAN)**  
**MEMBER (TECHNICAL)**

**sm**