

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
KOLKATA
REGIONAL BENCH – COURT NO.2**

**Ex. Misc. Application No. 77028 of 2019
AND
Ex. Appeal No. 379 of 2012**

(Arising out of Order-in-Appeal No. 20-23/Kol-V/2012 dated 21/05/2012 passed by the Commissioner of Central Excise (Appeals), Appeal-I, Kolkata.)

Commr. of Central Excise, Kol-V

Kendriya Utpad Shulk Bhawan,
180, Shantipally, Rajdanga Main Road,
Kolkata-700107

Appellant (s)

VERSUS

M/s. Topgrip Indus Instruments Pvt. Ltd.

37C, Jhil Road, Dhakuraia, Kolkata-700031

Respondent (s)

WITH

- (i) **Ex. Appeal No. 380 of 2012 (S. K. Ali Hussain Mullah Abdul Kader)**
- (ii) **Ex. Appeal No. 381 of 2012 (Shri Zakir Hussain)**
- (iii) **Ex. Appeal No. 382 of 2012 (Shri Abbas Mullah Kagalwala)**

(Arising out of Order-in-Appeal No. 20-23/Kol-V/2012 dated 21/05/2012 passed by the Commissioner of Central Excise (Appeals), Appeal-I, Kolkata.)

APPEARANCE :

Shri A. K. Biswas, A. R. for the Appellant
None for the Respondent

CORAM:

**HON'BLE MR. P. K. CHOUDHARY, MEMBER (JUDICIAL)
HON'BLE MR. BIJAY KUMAR, MEMBER (TECHNICAL)**

ORDER NO.MO/77447/2019 & FO/76483-76486/2019

Date of Hearing/Decision : 23.10.2019

PER BENCH :

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 22.08.2019.

2. Shri A. K. Biswas, Suptd. (A. R.) appeared on behalf of the Revenue. None appeared on behalf of the Respondent.

Ex. Appeal No. 379-382 of 2012

3. We find that the appeals are covered under National Litigation Policy. Accordingly, the prayer of the Revenue is allowed and the appeals are dismissed under National Litigation Policy.

(Dictated and pronounced in the open court.)

Sd/-

(P. K. Choudhary)
Member (Judicial)

Sd/-

(Bijay kumar)
Member (Technical)

Pooja