

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

REGIONAL BENCH - COURT NO.2

Excise Appeal No.76518 of 2016

(Arising out of Order-in-Original No.157/COMMR/DGP/DGP-I/15-16 dated 31.03.2016 Commissioner Central Excise, Service Tax & Customs, Durgapur.)

M/s. Venky Hi-Tech Ispat Ltd.

(Bamunara Industrial Area, Gopalpur, G.T. Road, Kanksa, Durgapur, Bardhaman, West Bengal.)

...Appellant

VERSUS

Commissioner, CGST & CX, Bolpur Commissionerate

.....Respondent

(Nanoor Chandidas Road, Sian, Bolpur, Dist: Birbhum, West Bengal.)

APPEARANCE

Shri Sudip Bhagat, C.A. for the Appellant (s)
Shri S.K.Jha, Authorized Representative for the Revenue

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

FINAL ORDER NO. 76528/2025

DATE OF HEARING : 13.06.2025
DATE OF DECISION : 13.06.2025

Per : R. MURALIDHAR :

Today, when the matter was called, after perusal of the records, it is noticed that insolvency proceedings had been initiated against the appellants-companies in terms of the Insolvency and Bankruptcy Code, 2016 and thereafter, the National Company Law Tribunal (NCLT), Kolkata Bench has passed the order dated 08.01.2019 in C.P.No.(IB) No.158/KB/2018 (in respect of M/s. Venky Hi-Tech Ispat Ltd.) approving the Resolution Plans. Copy of the said order passed by the NCLT has been placed on record.

2. We find that in terms of the above order, the Resolution Plan has been approved by the NCLT. In these circumstances, the tax liabilities along with interest against the Appellant do not survive.

3. In view of the above, the Appeal filed by the Appellant has become infructuous and hence, the same is dismissed. The Appeal is disposed of accordingly.

(Dictated and pronounced in the open Court.)

Sd/
(RAJEEV TANDON)
MEMBER (TECHNICAL)

Sd/
(R. MURALIDHAR)
MEMBER (JUDICIAL)

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