

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

REGIONAL BENCH – COURT NO.2

Excise Appeal No. 76733 of 2016

(Arising out of Order-in-Original No. DGR-EXCUS-000-COM-004-16-17 dated 31st May 2016 passed by Commissioner of Central Excise & Service Tax & Customs, Durgapur)

M/s. Cosmic Ferro Alloys Ltd.,
(Vill + P. O. Ghutgoria, Barjora, Bankura, W. B.)

Appellant

VERSUS

Commr. of Central Excise & Service Tax, Durgapur
(Satyajit Roy Sarani, City Centre, Durgapur-713216, Dist. Burdwan, West Bengal)

Respondent

APPEARANCE :

Shri Nirmal Agarwal, Authorized Representative for the Appellant
Shri Debapriya Sue, Authorized Representative for the Respondent

CORAM:

HON'BLE MR. R. MURALIDHAR, MEMBER (JUDICIAL)
HON'BLE MR. RAJEEV TANDON, MEMBER (TECHNICAL)

FINAL ORDER NO. 76725/2025

Date of Hearing : 4th July 2025

Date of Decision : 4th July 2025

PER RAJEEV TANDON

Today, when the matter was called, Ld. Authorized Representative on behalf of the assessee/appellant submitted that the assessee had initiated Corporate Insolvency Resolution Process (CIRP) under Section 7 of the Insolvency Bankruptcy Code 2016. Vide order dated 11.10.2018, the resolution plan submitted has been approved by NCLT, which stood fully implemented on 20 December 2018.

2. In terms of the said order, we find that all statutory dues (including Central Excise, Service Tax, GST, CVD, TDS, PPF, Professional Tax, ESI, VAT) as listed in Table-para 2(e) of the "Binding Resolution Plan" as approved, stood waived.

3. Taking note of the fact that the NCLT has approved the Resolution Plan in the insolvency proceedings, we are of the view that no grounds now remain or exist for the survival of the appeal. Accordingly, the appeal filed is dismissed as infructuous.

(Dictated and pronounced in the open court.)

Sd/-
(Rajeev Tandon)
Member (Technical)

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

Pooja