IN THE CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL
WEST ZONAL BENCH AT MUMBAI

Appeal No. E/86314/2018

(Arising out Order-in-Appeal No. PUN-EXCUS-001-APP-990-17-18 dated 29.12.2017 passed by the Commissioner of Central Excise (Appeals-I), Pune)

CCE Pune II — Appellant

Vs.

Flash Electronics India Pvt. Ltd. — Respondent

<u>Appearance:</u>

Shri M.R. Mall, AR for the appellant
None for the respondent

<u>CORAM:</u>
Hon'ble Dr. Suvendu Kumar Pati, Member (Judicial)

Date of hearing : 25.07.2018
Date of decision : 25.07.2018

O R D E R No: **A/86990 / 2018**

When the matter was called up for hearing it is observed that the entire claim amount against which appeal was preferred by the department is outside the scope of continuance of litigation as per Litigation Policy of litigation policy of Central Board of Excise & Customs *vide* F. No. 390/MISC/163/ 2010/ JC dated 17th December 2015 supplemented with amended Notification *vide* F. No. 390/Misc./116/2017-JC dated 4th April 2018 and 11th July

2018 which has increased the threshold monetary limit up to `20,00,000/-. Continuance of this case which involves an amount of `13,74,566/- (both duty and penalty) would yield no fruitful result, though formally no withdrawal application is filed by the department in obedience to the Notification. In view of the fact of the matter, the appeal is dismissed in conformity to the new litigation policy.

(Operative part pronounced in Court)

Dr. Suvendu Kumar Pati
Member (Judicial)

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