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

Application no. **E/CODinCO/86110/18**
In **E/Misc/86060/2018 &**
E/CO/86109/2018
Appeal No. **E/85352/2018**

(Arising out Order-in- Appeal No. NSK/EXCUS/000 /APPL/038/2017-18 dated 31.10.2017 passed by the Commissioner (A) of GST & Central Excise, Nashik)

Commissioner of Customs, Central Excise & Service tax, Aurangabad — Appellant

Vs.

M/s. Kishore Industries Pvt. Ltd. — Respondent

Appearance:

Shri H.M. Dixit, AC (AR) for the appellant
Ms. Pinki Sharma, Advocate for the respondent

CORAM:
Hon'ble Dr. Suvendu Kumar Pati, Member (Judicial)

Date of hearing : 02.08.2018
Date of decision : 02.08.2018

O R D E R No: **A/87021/2018**

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 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 `16,61,854/- would yield no fruitful result, when an withdrawal application is filed by the department in obedience to the Notification. In view of the fact of the matter, the appeal is dismissed as withdrawn in conformity to the new litigation policy.

2. Cross objection also stands dismissed in view of memo filed by the ld. Advocate for the respondent. All connected applications stands disposed of.

(Operative part pronounced in Court)

Dr. Suvendu Kumar Pati
Member (Judicial)

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