

**CUSTOMS, EXCISE & SERVICE TAX APPELLATE
TRIBUNAL, MUMBAI
REGIONAL BENCH**

Excise Miscellaneous Application No. 85063 of 2021

(On behalf of Respondent)

Excise Miscellaneous Application No. 85489 of 2020

(On behalf of Appellant)

in

Excise Appeal No. 85716 of 2016

(Arising out of Order-in-Original No. KLH-EXCUS-000-COM-012-15-16 dated 15.12.2015 passed by the Commissioner of Central Excise & Service Tax, Kolhapur)

Commissioner of Central Excise, Kolhapur

Appellant

Vasant Plaza, 4th & 5th floor,
CS No.1079/2 KH, Rajaram Road,
Bagal Chowk, Kolhapur 416 001.

Vs.

M/s. Hemarus Industries Ltd.

Respondent

Gutt No.76, Channehatti, Rajgoli (KH),
Tal. Chandgad, Dist. Kolhapur 416 508.

Appearance:

Shri N.N. Prabhudesai, Superintendent, Authorised Representative for the Appellant

Shri J.N. Somaiya, Advocate, for the Respondents

CORAM:

HON'BLE MR. SANJIV SRIVASTAVA, MEMBER (TECHNICAL)

HON'BLE DR. SUVENDU KUMAR PATI, MEMBER (JUDICIAL)

FINAL ORDER NO. **A/86697/2021**

Date of Hearing: 20.08.2021

Date of Decision: 20.08.2021

PER: BENCH

Learned counsel seeks to withdraw the miscellaneous application filed by the appellant, as the same is infructuous.

2.1 Learned AR prays for allowing the miscellaneous application filed by Revenue in terms of litigation policy Circular F. No. 390/Misc/116/2017-JC dated 22.08.2019.

2.2 We have considered both the miscellaneous applications filed by the appellant as well as Revenue.

2.3 The miscellaneous application filed by the appellant is dismissed as withdrawn and the miscellaneous application filed by Revenue is allowed and the appeal dismissed as withdrawn under the litigation policy.

(Order pronounced in the open court)

(Sanjiv Srivastava)
Member (Technical)

(Dr. Suvendu Kumar Pati)
Member (Judicial)

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