

**CUSTOMS, EXCISE AND SERVICE TAX APPELLATE TRIBUNAL
MUMBAI**

WEST ZONAL BENCH

APPLICATION (MISC) NO: 85021 OF 2021

(on behalf of appellant)

IN

CENTRAL EXCISE APPEAL NO: 85384 OF 2017

[Arising out of Order-in-Appeal No: NGP/EXCUS/000/APPL/470/16-17 dated 27th December 2016 passed by the Commissioner of Customs, Central Excise & Service Tax (Appeals), Nagpur.]

Commissioner of Central Excise & Customs

Nasik – II

Kendriya Rajaswa Bhavan, Gadkari Chowk,

Nashik - 422002

... Appellant

versus

SK Steel Works

Plot No. A-50, MIDC, Malegaon, Sinnar,

Dist: Nashik 422103

...Respondent

APPEARANCE:

Shri NN Prabhudesai, Superintendent Commissioner (AR) for the appellant

None for the respondent

CORAM:

HON'BLE MR C J MATHEW, MEMBER (TECHNICAL)

HON'BLE MR AJAY SHARMA, MEMBER (JUDICIAL)

FINAL ORDER NO: A / 86856 /2021

DATE OF HEARING:

20/09/2021

DATE OF DECISION:

20/09/2021

PER: CORAM

This appeal has been filed by Revenue against order-in-appeal no. NGP/EXCUS/000/APPL/470/16-17 dated 27th December 2016 of Commissioner of Customs, Central Excise & Service Tax (Appeals), Nagpur which had set aside the order of the original authority for recovery of duty of ₹ 23,44,990 under section 11A of Central Excise Act, 1944, along with applicable interest under section 11AB of Central Excise Act, 1944, besides imposing penalty of like amount under section 11AC of Central Excise Act, 1944.

2. Miscellaneous application has been filed by the appellant-Principal Commissioner of CGST & Central Excise seeking withdrawal of the said appeal in view of monetary limit prescribed as threshold for litigation in instruction no. 390/Misc/116/2017-JC dated 22nd August 2019 which has been made applicable also to all appeals that are pending.

3. We have heard Learned Authorised Representative. None appeared for the respondent.

4. The miscellaneous application is allowed. Accordingly, the appeal of Revenue is dismissed as withdrawn.

(Dictated and Pronounced in Open Court)

(AJAY SHARMA)
Member (Judicial)

**/as*

(C J MATHEW)
Member (Technical)