

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

Service Tax Miscellaneous Application No. 85735 of 2021

(On behalf of Appellant)

Service Tax Appeal No. 85395 of 2018

(Arising out of Order-in-Original No. 02/RKM/COMMR/BELAPUR/17-18 dated 29.09.2017 passed by the Commissioner of CGST & CX, Belapur),

Commissioner of CGST & CE, Belapur

Appellant

CGO Complex, 1st floor, Sector 10,
CBD Belapur, Navi Mumbai 400 614.

Vs.

M/s. Haware Engineers & Builder Pvt. Ltd.

Respondent

416, Vardhaman Market, Sector 17,
Vashi, Navi Mumbai 400 705.

Appearance:

Shri S.K. Hattangadi, Assistant Commissioner, Authorised
Representative for the Appellant
None for the Respondent

CORAM:

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

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

FINAL ORDER NO. **A/85074/2022**

Date of Hearing: 04.02.2022

Date of Decision: 04.02.2022

PER: BENCH

Revenue has filed this miscellaneous application seeking withdrawal of appeal.

2. Learned AR submits that against the same impugned order, the respondent had also filed an appeal bearing No. ST/85465/2018 which was dismissed as deemed withdrawn under SVLDRS vide order No. A/85064/2021 dated 13.01.2021.

3. In view of the above, the miscellaneous application filed by the Revenue is allowed and the appeal dismissed as withdrawn.

(Order pronounced in the open court)

**(Sanjiv Srivastava)
Member (Technical)**

**(Dr. Suvendu Kumar Pati)
Member (Judicial)**