

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

REGIONAL BENCH-COURT NO. 2

EXCISE APPEAL NO: 86257 OF 2015

[Arising out of Order-in-Appeal No: CD/120/M-II/2015 dated 19th January 2015
passed by the Commissioner of Central Excise (Appeals), Mumbai – II.]

Pepsico (I) Holdings Pvt Ltd
L.U. Gadkari Marg, Anik Village, Mahul,
Mumbai-400 074

... Appellant

versus

Commissioner of Central Excise
Mumbai-II
Piramal Chambers, 9th Floor, Jijibhoy Lane, Lalbaug,
Parel, Mumbai-400 012.

...Respondent

APPEARANCE:

Ms Payal Nahar, Advocate for the appellant
Mr P K Acharya, Superintendent (AR) for the respondent

CORAM:

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

FINAL ORDER NO: 85329 /2024

DATE OF HEARING:	13/03/2024
DATE OF DECISION:	13/03/2024

PER: CORAM

It has been brought to our notice that another appeal against the

order impugned in this appeal before us has been filed with the Government of India in its revisionary jurisdiction under section 35EE of Central Excise Act, 1944. It is also brought to our attention that the Government of India has disposed off the appeal before it. Accordingly, jurisdiction of this Tribunal stands excluded and, consequently, this appeal is dismissed *in limine*.

(Dictated and pronounced in open court)

(AJAY SHARMA)
Member (Judicial)

(C J MATHEW)
Member (Technical)