CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL, MUMBAI

REGIONAL BENCH - COURT NO. I

Service Tax Appeal No. 87936 of 2019

[Arising out of Order-in-Original No. KLH/EXCUS/000/COM/005/19-20 dated 31.05.2019 passed by Commissioner of Central GST, Kolhapur Commissionerate]

Commissioner, Central Goods and Service Tax, Kolhapur .... **Appellant**
Vasant Plaza, Commercial Complex, Rajaram Road,
Bagal Chownk, Kolhapur – 416 001.

Versus

M/s Ajit Engineering Works .... **Respondent**
Shop no. 3, Prajakta Enclave, R S no. 429/1A/1D,
E ward, infront of Hotel Saiba Assembly Road,
Shahupuri, Kolhapur, Maharashtra – 416 001.

APPEARANCE:

Shri S.B.P. Sinha, Authorized Representative for the Appellant

None for the Respondent

CORAM:

HON'BLE MR. S.K. MOHANTY, MEMBER (JUDICIAL)
HON'BLE MR. M.M. PARTHIBAN, MEMBER (TECHNICAL)

FINAL ORDER NO. 85284/2026

Date of Hearing: 06.02.2026
Date of Decision: 06.02.2026

PER: S.K. MOHANTY

Heard both sides and perused the case records.

2. Feeling aggrieved with the impugned order dated 31.05.2019 passed by the learned Commissioner, Central Goods & Service Tax, Kolhapur Commissionerate. Revenue has preferred this appeal before the Tribunal. In the impugned order, the learned Commissioner (Appeals) has set aside the adjudication order dated 25.10.2018 passed by the original authority and allowed the appeal in favour of the respondents. The amount involved in the impugned proceedings is Rs.42,63,529/-. Insofar as the monetary limit for filing of appeal before the Appellate Tribunal is concerned, by deriving the

powers conferred in Section 35R of the Central Excise Act, 1944, made applicable to matters relating to service tax under Section 83 of the Finance Act, 1994, the Central Board of Indirect Taxes and Customs (CBIC) has issued the instructions, from time to time, with the objective in reduction of the Government litigation in the area of Central Excise and Service Tax. In the latest instruction issued by the CBIC from file F. No. 160390/20/2024-JC-CBEC dated 06.08.2024, the threshold monetary limit of Rs. 60 lakhs has been prescribed, below which the appeal shall not be filed before the CESTAT.

3. In the case in hand, since the service tax demand confirmed in the adjudication order is below the threshold limit of Rs.60,00,000/- prescribed under the said Instruction dated 06.08.2024, Revenue is not permitted to file appeal before the Tribunal. Both sides have confirmed that the disputed amount of service tax involved in the present appeal preferred by the Revenue is less than the monetary limit prescribed under the instruction dated 06.08.2024 issued by the CBIC.

4. Considering the disputed amount of service tax involved in the present appeal, which is below the prescribed threshold limit as per the Instruction dated 06.08.2024 issued by the CBIC, the appeal filed by the Revenue in our considered view, is liable to be dismissed. Accordingly, the appeal filed by Revenue is dismissed under the Litigation Policy of the Government.

(Dictated and pronounced in open court)

(S.K. MOHANTY)
MEMBER (JUDICIAL)

(M.M. PARTHIBAN)
MEMBER (TECHNICAL)

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