CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL, MUMBAI

REGIONAL BENCH - COURT NO. I

Service Tax Appeal No. 89817 of 2018

(Arising out of Order-in-Appeal No. PK/ST-I/153 & 154/2016-17 dated 28.02.2017 passed by Commissioner (Appeals-I), Service Tax, Mumbai)

Commissioner of CGST & Central Excise, Mumbai Central .... **Appellant**
4th Floor, Central Excise Building,
Churchgate, Mumbai – 400 020.

Versus

Piramal Healthcare Ltd .... **Respondent**
Nicholas Piramal Tower, Ganpatrao Kadam Marg,
Lower Parel, Delisle Road, Mumbai – 400 013.

APPEARANCE:

Shri Arun Bhaskar, Authorized Representative for the Appellant
Shri Om Mittal, Chartered Accountant for the Respondent

CORAM:

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

FINAL ORDER NO. A/ 85776/2026

Date of Hearing: 15.04.2026
Date of Decision: 15.04.2026

Per: S.K. MOHANTY

Heard both sides.

2. Feeling aggrieved with the impugned order dated 28.02.2017 passed by the learned Commissioner (Appeals-I), Service Tax, Mumbai, Revenue has preferred this appeal before the Tribunal. In the impugned order, the learned Commissioner (Appeals) has set aside the adjudication order dated 01.06.2012 passed by the original authority and allowed the appeal in favour of the respondent. The amount involved in the impugned proceedings is Rs.6,87,642/-. 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. It is 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. Further, though at paragraph 3 in the said instructions dated 06.08.2024, there is specific mention of agitating the matter before the Appellate Forum, irrespective of the involvement of the amount on certain issues, but the issue categorized therein are not confirming to the present appeal filed by the Revenue inasmuch as payment of service tax under reverse charge mechanism, is the subject matter of present dispute. Hence, the appeal can be disposed of in terms of the litigation policy formulated by the Government.

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)

SM