

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CEA No.91 of 2005 (O&M)
Date of decision:12.09.2018

The Commissioner, Central Excise Delhi-V, Rohtak ... Appellant

Vs.

M/s R.K.Ispat Ltd. Bhiwani ... Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Tajender K. Joshi, Advocate
for the appellant.

Mr. Jagdeep Singh Rana, Advocate for
Mr. Vinod S. Bhardwaj, Advocate
for the respondent.

Rajesh Bindal, J.

This is an appeal against the order dated 07.10.2004 passed by the Customs, Excise & Services Tax Appellate Tribunal, New Delhi (for short 'the Tribunal') in Appeal No.E/2700/2004-NB(A).

Learned counsel for the appellant submitted that in the present appeal the amount involved is ₹40,03,983/-. In terms of the Instructions issued by the Central Board of Indirect Taxes & Customs dated 11.07.2018, the monetary limit fixed for filing appeals in the High Court stands raised to ₹50 lakhs, which is applicable even in pending cases.

As the amount of tax involved in the present appeal is less than ₹50 lakhs, the appellant may be permitted to withdraw the present appeal.

Ordered accordingly.

However, it is made clear that withdrawal of the present appeal will not be taken as upholding the order passed by the Tribunal as the legal issue raised therein is left open to be considered in an appropriate case.

(Rajesh Bindal)
Judge

(Amit Rawal)
Judge

12.09.2018
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No