HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Central/excise Appeal No. 4/2018

Commissioner Of Central Excise And Service Tax, Alwar, A-Block, Surya Nagar, Alwar, Rajasthan-301001

----Appellant

Versus

M/s Puneet Steels Alloys Pvt. Ltd., Sp-289, Riico Industrial Area, Phase-I, Lakhani Road, No.13, Bhiwadi, Rajasthan-301019

----Respondent

D.B. Central/excise Appeal No. 144/2017

Commissioner Of Central Excise Service Tax, Alwar, A-Block, Surya Nagar, Alwar, Rajasthan-301001

----Appellant

Versus

M/s Satpushp Steels (P) Ltd., C/o Kamal Aggarwal, 409, 4Th Floor, Pearl Omaxe Tower-1, Netaji Subhash Place, New Delhi-110034

----Respondent

D.B. Central/excise Appeal No. 149/2017

Commissioner Of Central Excise And Service Tax, Alwar, A-Block, Surya Nagar, Alwar Rajasthan-301001

----Appellant

Versus

M/s Young Steels Pvt. Ltd., E-1104, Riico Industrial Area, Phase -Iii, Bhiwadi, Rajasthan

----Respondent

D.B. Central/excise Appeal No. 150/2017

Commissioner Of Central Excise And Service Tax, Alwar, A-Block , Surya Nagar, Alwar, Rajasthan-301001

----Appellant

Versus

M/s Sewa Steels Pvt. Ltd., E-90-C, Riico Industrial Area, Bhiwadi, Rajasthan

----Respondent

D.B. Central/excise Appeal No. 153/2017

Commissioner Of Central Excise And Service Tax, Alwar, A-Block, Surya Nagar, Alwar, Rajasthan-301001

----Appellant

Versus

M/s Shree Jagdambay Castings Pvt. Ltd., E-803, Riico Industrial Area, Phase-Ii, Bhiwadi, Rajasthan

----Respondent

For Appellant(s) : Mr. Anurag Kalavatia
For Respondent(s) : Mr. Sameer Jain

HON'BLE MR. JUSTICE K.S.JHAVERI
HON'BLE MR. JUSTICE VIJAY KUMAR VYAS

Order

21/03/2018

Delay in filing the appeals is condoned. The applications u/s 5 of the Limitation Act are allowed.

In view of the circular dated 30th December, 2016 which reads as under:-

"F.No.390/Misc./163/2010-JC/Pt

Government of India

Ministry of Finance

Central Board of Excise & Customs

New Delhi , 30th December ,2016

INSTRUCTION

To,

1. All Principal Chief Commissioners / Chief Commissioners and Directors General under the Central Board of Excise and Customs.

2. Chief Commissioner (AR), All Commissioners (AR), Customs, Excise & Service Tax Appellate Tribunal.

3. All Principal Commissioners /Commissioners of Customs/Central Excise/Service Tax/ Commissioner, Directorate of Legal Affairs.

Sir/ Madam,

Sub:- Reduction of Government litigation – providing monetary limits for filing appeals by the Department before CESTAT —regarding

In exercise of the powers conferred by Section 35R of the Central Excise Act,1944 made applicable to Service Tax vide Section 83 of the Finance Act,1994 and Section 131BA of the Customs Act,1962 and in partial modification of earlier instruction issued from F.No. 390/Misc./163/2010- JC dated 17.12.2015, Central Board of Excise & Customs fixes the monetary limit below which appeal shall not be filed in the High Court as Rs.20,00,000/-.

2. Except for the above all other terms and conditions of earlier instructions dated 17.8.2011 & 17.12.2015 stands.

(Anuj Agarwal)

Officer in Special Duty-Judicial Cell"

In view of the above, the appeals stand disposed of.

(VIJAY KUMAR VYAS),J (K.S.JHAVERI),J

A.Sharma/