

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

INCOME TAX APPEAL NO. 1651 OF 2013

Commissioner of Income Tax-4. ...Appellant.

vs.

M/s. Maheshwari Shares & Stock Brokers

Pvt. Ltd. ...Respondent.

Mr.Ashok N. Kotangle with Mr.Arun D. Nagarjun i/by Mrs. Padma Divakar for the Appellant.

Mr. Nishit Gandhi i/by Mr. Vipul Joshi for the Respondent.

CORAM : M.S.SANKLECHA AND

G.S.KULKARNI, JJ.

DATE : 01 SEPTEMBER, 2015

PC:

Mr. Kotangle, learned counsel appearing for the revenue upon instructions seeks to withdraw the appeal. Mr. Kotangle, learned counsel states that by a communication dated 31 August 2015 from the office of the Assistant Commissioner of Income Tax, he has been instructed to withdraw the appeal. This is in view of low tax effect as prescribed by the CBDT Instructions Nos. 3/2011 and 5/2014. Copy of the communication dated 31 August 2015 is taken on record and

marked "X" for identification.

2) Therefore, the Appeal is dismissed as withdrawn.

(G.S.KULKARNI, J.)

(M.S. SANKLECHA, J.)