

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE
AND
THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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REFERRED CASE No.7 of 2004

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ORDER: (per the Hon'ble Sri Justice Dilip B.Bhosale)

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This Referred Case was registered in view of the reference made by the Income Tax Appellate Tribunal, Hyderabad Bench 'A' on 10.01.2003. It pertains to the assessment year 1983-84. From the record, we find an endorsement that "in spite of several reminders, the Revenue has not filed required annexures". Till today, the respondent assessee has not been served.

2. The only question referred to was whether the partnership firm deserves registration in view of the fact that one of the adult partners was only to share profits with the other partners without any responsibility for any liability to share the losses of the firm. The firm, with seven partners, was constituted and a partnership deed was executed on 21.11.1981. Clause 13 of the deed provided that the losses would be shared only by six partners, while the profits would be shared by all of them.

3. In the circumstances, we are constrained to dismiss this Referred Case for non-prosecution. Order accordingly. There shall be no order as to costs.

DILIP B.BHOSALE, J

A.RAMALINGESWARA RAO, J

Date: 17.03.2015
TJMR