

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

INCOME TAX APPEAL NO. 13 OF 2012

THE COMMISSIONER OF INCOME TAX II NASHIK
VERSUS
NILESH SHANTILAL LALWANI

...
Advocate for Appellant : Mr. Sharma Alok M.

...
CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: February 29, 2016

...
PER COURT :-

Learned counsel appearing for the appellant has placed on record a communication dated 18.12.2015 received from the Office of the Commissioner of Income Tax (Judicial), Pune. The same is taken on record and marked as "X" for identification purpose.

2. The learned counsel for the appellant submitted that, since a policy decision has been taken by the Income Tax Department, that appeal shall not be filed in the High Court in the cases having monetary stakes below Rs. 20,00,000/- and since the said decision has been made applicable retrospectively, the appellant shall be permitted to withdraw the present appeal by reserving their rights to agitate the legal issues and objections raised in the present appeal in appropriate cases.

3. In view of the submissions so made, the appellant is permitted to withdraw the present appeal with liberty as prayed for. Appeal stands dismissed as withdrawn.

(P.R. BORA, J.)

(S.S. SHINDE, J.)