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

INCOME TAX REFERENCE NO.132 OF 1998

The Commissioner of
Income Tax, Bombay .. Applicant
-*Versus*-
M/s. Bajaj Auto Ltd. ..Respondent

Mr. Suresh Kumar for Revenue/ applicant

CORAM : M.S.SANKLECHA, &
B.P.COLABAWALLA, JJ

DATE : 4th March 2016.

P.C.

1] On 5th February 2016, following order was passed:-

> "2. Mr. Suresh Kumar seeks a week's adjournment. This matter had been adjourned earlier at the instance of the Revenue. In case the Revenue is serious about prosecuting the present reference then necessary record and proceedings (R & P) along with paperbook in support of Reference should be filed in the Registry of this Court before 11th February 2016. On failure to do so it will be indication of the fact that the Revenue is not serious about pursuing the present reference. In case the aforesaid directions are not complied with, the reference may be returned unanswered"

2] Mr. Suresh Kumar, learned Counsel for the Revenue states that the directions contained in the order dated 5th February 2016 have not been carried out nor is the Revenue in a position to do so.

3] In the above view, it appears that the Revenue is not interested in pursuing the present Reference. Accordingly, the Reference is disposed of without answering the question framed herein for our opinion. It is made clear that the questions as framed herein are left open to be considered in an appropriate case.

4] Accordingly, the Reference is disposed of in the above terms. No order as to costs.

(B.P.COLABAWALLA, J) (M.S.SANKLECHA, J)