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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX REFERENCE NO.943 OF 1998

The Godavari Sugar Mills Ltd. ..Applicant
Versus
The Commissioner of Income Tax
Bombay City, Bombay. ..Respondent

....

Mr. Rajesh Poojary i/b. Mulla & Mulla for the applicant.

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CORAM: M. S. SANKLECHA &
A. K. MENON, JJ.

DATE : 10th AUGUST, 2016

P.C.:

This is Reference under Section 256(1) of the Income Tax Act, 1961 (the Act) relates to A.Y. 1964-65.

2. The learned counsel appearing for the applicant-assessee in support of this Reference application, on instructions, states that the applicant-assessee is not interested in pursuing the present Reference. In the above view, the Reference is return unanswered. However, it is made clear that the question raised herein is left open for consideration in an appropriate case, if not already decided.

3. Reference is disposed of in above terms. No order as to costs.

(A. K. MENON, J.) **(M. S. SANKLECHA, J.)**