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

INCOME TAX APPEAL NO. 1112 OF 2014

Mr. Jayant D. Sanghvi .. Appellant

v/s.

The Commissioner of Income Tax-8
Mumbai .. Respondent

Mr. Kalpesh Turalkar i/b Aarti Sathe for the appellant
None for the respondent

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

DATED : 14th DECEMBER, 2016.

P.C.

1. Mr. Turalkar, learned Counsel for the appellant states that the appeal has been filed against an order dated 14th November, 2013 passed by the Income Tax Appellate Tribunal, dismissing the appellant's miscellaneous application for rectification under Section 254(2) of the Income Tax Act, 1961.

2. Mr. Turalkar, further states that this Court in ***Chem Amit Vs. Asst. Commissioner of Income Tax, 272 ITR 397*** has taken a view that an appeal under Section 260A of the Act to the High Court from an order of the Tribunal dismissing an application for rectification under

Section 254(2) of the Act is not maintainable. Therefore, he is instructed to withdraw the present appeal.

3. Accordingly, the appeal is dismissed as withdrawn.

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