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

INCOME TAX REFERENCE NO.374 OF 1997

The Commissioner of Income Tax
Bombay .. Applicant
-*Versus*-
Harish M. Khandwala .. Respondent

Mr. Suresh Kumar for Revenue

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

DATE : 4th March 2016.

P.C.

1] Our order dated 5th February 2016 recorded as under:-

> "The papers and proceedings with regard to present Reference are not available. It also appears that no paperbook has been filed. In case the Revenue seeks to prosecute the present Reference, then the same should be filed in Court on or before 11th February 2016."

2] Mr. Suresh Kumar for the Revenue states that the Revenue is not in a position to comply with the directions dated 5th February 2016.

3] In the above view, it appears that the Revenue is not interested in pursuing the present Reference. Thus, the question as raised for our opinion in this Reference is returned unanswered. However, it is made clear that the questions raised herein are left open for consideration in an appropriate case.

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

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