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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX REFERENCE NO.771 OF 1998

Commissioner of Income Tax
Bombay City – VI ..Appellant
Versus
Wimco Limited ..Respondent

....
Mr. Suresh Kumar a/w Ms. Samiksha Kanani for the Appellant.
....

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

DATE : 17TH JUNE, 2016

P.C.:

1. This Reference pertains to A.Y. 1978-79.

2. Mr. Rajesh N. Haladkar, Assistant Commissioner of Income Tax Officer as filed an affidavit dated 17th June, 2016 stating that the tax effect involved in this Reference is less than Rs.20 lakhs. Thus the Revenue is not interested in pursuing the present Reference. This is so as the References having a tax effect of less than Rs.20 lakhs are covered the Circular No.21 of 2015 dated 10th December, 2015 issued by the Central Board of Direct Taxes wherein the officers of the Revenue have been directed not to press appeals before this Court where the tax effect is less than Rs.20 lakhs. The above mentioned Circular has now been made

applicable even to pending References by clarification dated 8th March, 2016 issued by the Central Board of Direct Taxes.

3. In the above view, this Reference is returned unanswered. However, the questions as framed herein for our opinion are left open for consideration in an appropriate case.

4. Accordingly, the Reference is returned unanswered. No order as to costs.

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

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