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

INCOME TAX REFERENCE NO. 644 OF 1998

Commissioner of Income-Tax, Nashik .. Appellant

v/s.

M/s. Agarwal Brothers,
Ghat Road, Chalisgaon .. Respondent

Mr. Sham Walve for the appellant

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

DATED : 29th JANUARY, 2016.

P.C.

1. This Income Tax Reference relates to Assessment Year 1984-85.

2. Mr. Walve, learned Counsel for the applicant states that the Central Board of Direct Taxes has issued a Circular No.21/2015 dated 10th December, 2015 directing the Revenue to withdraw / not press the pending appeals in this Court having a tax effect of less than Rs.20 lakhs. It is further submitted that by order dated 8th January, 2016 passed in the case of *Commissioner of Income Tax vs. Sunny Sounds (P) Ltd.*, being Income Tax Reference No.213 of 1997, this Court has held that the Central Board of Direct Tax's Circular No.21/2015 dated 10th

December 2015 is also applicable to the pending References.

3. In view of the above, Mr. Walve states that as the tax effect involved in the present reference is less than the threshold limits of Rs.20 lakhs prescribed in the above Circular, he has instructions to withdraw the present reference.

4. In view of the fact that the Revenue is not interested in pursuing the present reference, the same is returned unanswered. However, we make it clear that the questions raised herein are left open, to be considered in appropriate case.

5. The Income Tax Reference is disposed of accordingly. No order as to costs.

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