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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.2444 OF 2013

The Commissioner of Income Tax-II, Pune ..Appellant
Versus
PTC Software (I)Pvt. Ltd. ..Respondent

....
Mr. Suresh Kumar a/w Ms.Samiksha Kanani i/b. Vipul Bajpayee for the Appellant.
Mr. P. J. Pardiwalla, Senior Counsel, a/w Atul Jasani for the Respondent.
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CORAM: M. S. SANKLECHA &
A. K. MENON, JJ.

DATE : 12TH APRIL, 2016

P.C.:

1. This Appeal under Section 260-A of the Income Tax Act, 1961 (the Act) challenges the order dated 8th March, 2013 passed by the Income Tax Appellate Tribunal (the 'Tribunal'). By the impugned order the Respondent-Assessee's application for stay pending the disposal of its Appeal before the Tribunal was allowed.

2. Being aggrieved by the impugned order dated 8th March, 2013 passed on the stay application Revenue is in appeal before us. Mr. Suresh

Kumar, the learned counsel appearing for the Revenue states that appeal before the Tribunal in which this impugned order was passed has itself now been disposed of on 30th April, 2013 finally. Therefore this appeal has become infructuous.

3. In the above view, the Appeal is dismissed as infructuous. No order as to costs.

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

Wadhwa