

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

**APPEAL (L) NO. 426 OF 2013
WITH
NOTICE OF MOTION NO. 1567 OF 2013**

Commissioner of Income Tax-7 .. Appellant
V/s.

Vodafone India Limited Formerly
known as Vodafone Essar Limited
and anr. .. Respondents.

Mr. Abhay Ahuja for Appellant.

Mr. Rohidas Gawde i/b P.B. Anand for Respondent No.1.

**CORAM: DR. MANJULA CHELLUR, C.J.
AND M.S.SONAK, J.**

DATE : 08 SEPTEMBER 2016.

P.C.

1] This appeal is filed challenging the scheme of amalgamation. A similar order from Gujarat High Court was taken to the Hon'ble Supreme Court and the Hon'ble Supreme Court by its order dated 15 April 2015 has dismissed the special leave petition. Since the same *lis* is arising for our consideration in the matter, we have no reason to keep the appeal pending for consideration.

2] Accordingly, the appeal is dismissed in terms of the Hon'ble Supreme Court's order dated 15 April 2015.

3] In view of dismissal of the main appeal, the notice motion do not survive and the same is disposed of accordingly.

(CHIEF JUSTICE)

(M.S.SONAK, J.)