Dixit

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1570 OF 2013
IN
REVIEW PETITION (LODGING) NO.75 OF 2012
IN
INCOME TAX APPEAL NO.5531 OF 2010

ALONG WITH

REVIEW PETITION (LODGING) NO.75 OF 2012
IN
INCOME TAX APPEAL NO.5531 OF 2010

Income Tax Officer – 12(2)(1), Mumbai …. Applicant

In the matter between

Income Tax Officer – 12(2)(1),
Aayakar Bhavan, Mumbai. …. Appellant
V/s.
Sanjeev Woolen Mills, Mumbai …. Respondent

Mr. Ashok Kotangale, a/w. Ms. Padma Divakar, for the Applicant.

Mr. S.P. Goyal, Director of Respondent-Mill, is present in person.

CORAM : M.S. SANKLECHA &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 15TH JANUARY 2016.

P.C. :

1. Mr. Kotangale, learned counsel appearing in support of the Notice of Motion in the Review Petition, states that in view of the C.B.D.T.

Circular bearing No.21 of 2015 dated 10th December 2015, he does not seek to prosecute the Notice of Motion and the Review Petition, as, admittedly, the tax effect in the present Appeal is Rs.4.53 lacs, as stated in paragraph No.11 of the Appeal Memo, being the 100% penalty imposed upon the Respondent.

2. In the above view, as the amounts are less than the threshold limit prescribed in the C.B.D.T. Circular No.21 of 2015 dated 10th December 2015, Mr. Kotangale does not press the Notice of Motion. Accordingly, the Notice of Motion is dismissed as not pressed.

3. Consequently, the Review Petition also does not survive and the same stands disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.] **[M.S. SANKLECHA, J.]**