THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SMT. JUSTICE ANIS

I.T.T.A.No.401 of 2016

JUDGMENT: (Per Hon'ble Sri Justice Sanjay Kumar)

This appeal under Section 260A of the Income-tax Act, 1961 (for short, 'the Act of 1961'), is sought to be maintained by the Revenue raising various questions of law in relation to the reassessment for the assessment year 2006-07, which was undertaken pursuant to the order passed under Section 263 of the Act of 1961 by the Commissioner of Income-tax-III, Hyderabad.

However, it is stated that the said order passed by the Commissioner of Income-tax-III, Hyderabad, in exercise of power under Section 263 of the Act of 1961, was the subject matter of an appeal before this Court and by order dated 21.02.2013 reported in Spectra Shares and Scrips Pvt. Ltd. v. Commissioner of Income-tax[1], this Court set aside the said order.

As the reassessment undertaken pursuant to the said order would also fall to the ground, this appeal does not survive for consideration on merits.

The appeal is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

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SANJAY KUMAR, J

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ANIS, J

27th October, 2016
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[1] (2013) 354 ITR 35 (AP)