

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**ITA No. 27 of 2001
Decided on : 17.05.2016**

The Commissioner of Income Tax, Chandigarh

... Appellant

Versus

M/s Punjab Small Industries & Export Corporation Ltd.

... Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

PRESENT: Ms. Urvashi Dhugga, Advocate
for the appellant-revenue.

AJAY KUMAR MITTAL, J. (Oral)

Learned counsel for the appellant-revenue has produced the communication dated 30/31.03.2016 and a short affidavit of Saroj Deswal, Principal Commissioner of Income Tax-1, Chandigarh, stating therein that the tax effect involved in the present appeal is ₹2,59,827/-.

2. It was submitted that since the tax effect involved in the present appeal is less than ₹ 20 lacs, the monetary limit prescribed by the C.B.D.T, New Delhi, vide circular No. 21/2015, dated 10.12.2015, therefore, she has instructions to withdraw the present appeal. However, she prayed that liberty be granted to the revenue to file an application for revival of the appeal in case something survives therein.

3. Dismissed as withdrawn with liberty as prayed for. It is, however, clarified that withdrawal of the appeal by the revenue shall not be taken to be affirmation of order of the Tribunal on merits. Further, the legal issue as claimed by the revenue is being left open to be adjudicated in an appropriate case.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAJ RAHUL GARG)
JUDGE**

May 17, 2016

J.Ram