

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

ITA No.305 of 2004
Date of Decision : 04.08.2016

Commissioner of Income Tax(Central), Ludhiana

..... Appellant

versus

M/s Highway Cycles Industries Ltd., Ludhiana

..... Respondent

**CORAM : HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. Zora Singh Klar, Senior Standing Counsel,
for the appellant-Department.

Mr. Alok Mittal, Advocate, for the respondent.

S.J.VAZIFDAR, ACTING CHIEF JUSTICE (ORAL)

Learned counsel for the appellant-revenue states that since the tax effect involved is ₹5,37,986/-, he has instructions to withdraw the present appeal in view of the circular No.21/2015, dated 10.12.2015 issued by the C.B.D.T., New Delhi. However, he prayed that liberty be granted to the revenue to file an application for revival of the appeal in case something survives therein.

2. Dismissed as withdrawn with liberty as prayed for.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.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

August 04, 2016
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned	Yes/No
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Whether Reportable	Yes/No
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