

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

**ITA No. 106 of 2007
Decided on : 25.01.2016**

Commissioner of Income Tax, Jalandhar

... Appellant

Versus

Krishan Gopal Singhania

... Respondent

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

PRESENT: Mr. Vivek Sethi, Advocate
for the appellant-revenue.

Mr. Divya Suri, Advocate and
Mr. Sachin Bhardwaj, Advocate
for the respondent.

AJAY KUMAR MITTAL, J. (Oral)

Learned counsel for the appellant-revenue states that since the tax effect involved is ₹ 10,02,446/-. Although he has no instructions to withdraw the present appeal but keeping in view of the circular No.21/2015, dated 10.12.2015 issued by the C.B.D.T., New Delhi, the present appeal may be dismissed as withdrawn. However, 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 Dismissed as withdrawn with liberty as prayed for.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.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAJ RAHUL GARG)
JUDGE**

January 25, 2016

J.Ram