IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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ITA No. 151 of 2006 (O&M)
Date of decision: 22.01.2016

The Commissioner of Income Tax, Jalandhar-II
Jalandhar **...Appellant**

Vs.

Rajesh Mehta **...Respondent**

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

Present : Mr. Yogesh Putney, Advocate for
Mr. Vivek Sethi, Advocate
for the appellant-revenue.

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AJAY KUMAR MITTAL, J. (Oral)

It is not disputed by the learned counsel for the appellant that the tax involved is less than 20 lacs as the income assessed depicted in Annexure P/2 was ₹ 3,51,000/-. Learned counsel for the appellant-revenue states that since the tax effect involved is less than the monetary limits fixed by CBDT, 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.

Dismissed as withdrawn with liberty as prayed for.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)
22.01.2016 **JUDGE**

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