

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

**ITA No. 503 of 2010 (O&M)&
XOBJC-14-CII-2011
Decided on : 02.02.2016.**

The Commissioner of Income Tax, Faridabad

... Appellant

Versus

M/s Blowell Auto Pvt. Ltd.

... Respondent

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

PRESENT: Mr. Tajender K.Joshi, Advocate
for the appellant.

Mr. Saurabh Kapoor, Advocate
for the cross-objector/respondent.

AJAY KUMAR MITTAL, J. (Oral)

Learned counsel for the appellant-revenue states that since the tax effect involved is ₹ 18,52,200/-, 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 Dismissed as withdrawn with liberty as prayed for.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.

3. Learned counsel for the assessee prays that in view of the withdrawal of the appeal by the revenue, the cross-objection be also dismissed as withdrawn.

4. Ordered accordingly.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAJ RAHUL GARG)
JUDGE**

February 02, 2016

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