

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

**ITA No. 260 of 2015 (O&M)
Decided on : 04.04.2016**

Pr. Commissioner of Income Tax-I, Chandigarh

... Appellant

Versus

M/s Rana Polycot 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.

AJAY KUMAR MITTAL, J. (Oral)

Learned counsel for the appellant has produced a communication dated 31.03.2016, received from ITO(Hq.)(Admn.), Chandigarh, intimating that the present case is squarely covered by the CBDT Circular No.25/2015, dated 31st December, 2015 and thus, the appeal filed before this Court may be withdrawn accordingly. The communication dated 31.03.2016 is taken on record, subject to all just exceptions.

2. In view thereof, learned counsel states that she may be allowed to withdraw the present appeal. However, liberty be granted to the appellant-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 Dismissed as withdrawn with liberty as prayed for.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**

April 04, 2016

J.Ram