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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
18.
\+ **ITA 296/2016**

COMMISSIONER OF INCOME TAX
(EXEMPTION) DELHI ..... Appellant
Through: Mr P. Roy Chaudhuri, Senior Standing counsel.

versus

CALOREX FOUNDATION ..... Respondent
Through: Mr Ved Jain and Mr Pranjal Srivastava, Advocates.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VIBHU BAKHRU

<u>O R D E R</u>
% **06.05.2016**

<u>CM No.16767/2016</u>

1. Allowed, subject to all just exceptions.

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2. The tax effect as stated by the Revenue is Rs.69,67,126/-. However, it is clarified that this is on a notional basis. The Assessing Officer assessed the total income of the Assessee as Rs.25,32,000/-. It is pointed out by the learned counsel for the Assessee that even if the Revenue succeeds in the question urged in this appeal, the tax effect would be below Rs.20,00,000.

3. Accordingly, in terms of the Circular No.21/2015 dated 10^{th} December 2015 issued by the Central Board of Direct Taxes, this appeal has to be treated as not pressed by the Revenue.

4. The appeal is accordingly, dismissed as not pressed.

S.MURALIDHAR, J

VIBHU BAKHRU, J

MAY 06, 2016
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