IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 206 OF 2003

The Director of Income Tax .. Appellant
v/s.
Tekchand Kanhaiyalal Nakipuria Ch. Tr. .. Respondent

Mr. Suresh Kumar for the appellant
Mr. Ravi Rattesar i/b D.M. Harish and Co. for the respondent

CORAM : S.V. GANGAPURWALA &
G.S. KULKARNI, J.J.
DATED : 14th JUNE, 2017

P.C.

1. The present appeal relates to Assessment Year 1985-86. The impugned order is a composite order for Assessment Years 1985-86 and 1986-87. The appeal filed by the Revenue for Assessment Year 1986-87 is already rejected on 05.04.2003 as is confirmed by the learned Counsel for the respondent.

2. The learned Counsel for the appellant submits that the tax effect involved in the present appeal is less than Rs.20 lakhs and as per the CBDT Circular No.21 of 2015 dated 10th December, 2015, the department has taken a policy decision not to prosecute the appeals wherein the tax effect is less than Rs.20 lakhs.

3. In view of the above, the learned Counsel for the appellant

seeks leave to withdraw the appeal.

4. The appeal stands disposed of as withdrawn. No costs.

5. The Court Fees as per Rules, be refunded.

(G.S. KULKARNI, J.) **(S.V. GANGAPURWALA, J.)**