IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.272 OF 2015

THE COMMISSIONER OF INCOME TAX-3)...APPELLANT

V/s.

M/S.DOLPHIN OFFSHORE ENTERPRISES)
(I) LTD.)...RESPONDENT

Mr.Ashok Kotangle with Mr.A.D.Nagarjun and Mr.P.Bargude i/b. Padma Divakar, Advocate for the Appellant.

Mr.V.S.Hadade, Advocate for the Respondent.

CORAM : S.V.GANGAPURWALA &
A. M. BADAR, JJ.

DATE : 10th JULY 2017

P.C. :

1 This appeal pertains to the Assessment Year 2006-2007. The present appeal is filed mainly on the ground that the order of the Tribunal quashing the order of the Assessing Officer under Section 263 of the Act, is challenged before this court bearing Income Tax Appeal No.557 of 2014 and as such the said order has not attained finality and is incorrect. Mr.Kotangle, the

learned counsel, fairly submits that Income Tax Appeal No.557 of 2014 filed by the department has been dismissed on 21st September 2016.

2 In view of that, nothing survives in the appeal and the present appeal also stands dismissed. No costs.

(A. M. BADAR, J.) **(S.V.GANGAPURWALA), J.)**