IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

GTA-1-2007

Date of decision: 19.01.2017

The Commissioner of Gift Tax-I, Chandigarh

..... Appellant

Versus

Jiwan Malhotra

..... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Urvashi Dhugga, Advocate for the appellant.

Ms. Radhika Suri, Senior Advocate with
Ms. Rinku Dahiya, Advocate for the respondent.

AJAY KUMAR MITTAL, J. (ORAL)

1. Learned counsel for the appellant-revenue states that since the tax effect involved is ₹ 14,70,600/-, she 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, which is also applicable to the Gift Tax Appeals. However, she 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 Dismissed as withdrawn with liberty as prayed for.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.

(AJAY KUMAR MITTAL)
JUDGE

January 19, 2017
rishu

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No