IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ITA No. 230 of 2016 (O&M)
Decided on : 14.07.2017

Pr. Commissioner of Income Tax-2, Chandigarh

. . . Appellant

Versus

M/s Sagar Edutech Pvt. Ltd.

. . . Respondent

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN

PRESENT: Ms. Urvashi Dhugga, Sr. Standing Counsel for the appellant-revenue.

Mr. B.M. Monga, Advocate and
Mr. Rohit Kaura, Advocate
for the respondent-assessee.

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AJAY KUMAR MITTAL, J. (Oral)

Learned counsel for the appellant-revenue has produced a communication dated 13.07.2017 along with a departmental letter dated 10.07.2017, received by her from the Commissioner of Income Tax-2, Chandigarh, in Court today, which is taken on record, subject to all just exceptions. In Para 4 of the aforesaid letter dated 10.07.2017, it has been stated that after re-calculating quantum of tax effect, it has been found that the tax effect involved in the instant case is ₹17,73,536/-.

2. It was submitted that since the tax effect involved in the present appeal is less than ₹ 20 lacs, the monetary limit prescribed by the C.B.D.T, New Delhi, vide circular No. 21/2015, dated 10.12.2015, therefore, she has instructions to withdraw the present appeal. However, she prayed that liberty be granted to the 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 Dismissed as withdrawn with liberty as prayed for.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

(AVNEESH JHINGAN)
JUDGE

July 14, 2017
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No