IN THE HIGH COURT OF BOMBAY AT GOA

TAX APPEAL NO. 13 OF 2009

THE COMMISSIONER OF INCOME TAX ... Appellant

Versus

MOHIT STEEL INDUSTRIES (P) LTD ... Respondent

Ms Amira Abdul Razaq for the appellant.

Coram:- SHANTANU S. KEMKAR &
C. V. BHADANG, JJ.

Date:- 13th August 2018

ORAL ORDER

The learned counsel for the appellant on written instructions dated 10/8/2018 received from the appellant and in view of the Circular No.3/2018 dated 11/7/2018 as the tax effect in this appeal is below Rs.50.00 lakhs seeks leave to withdraw this appeal.

2. The prayer is accepted.

3. The appeal is dismissed as withdrawn.

4. However it is observed that in case the Circular No.03/2018 dated 11/7/2018 which is subject matter of challenge before the Hon'ble Supreme Court in Public Interest Litigation (PIL) in

Writ Petition no (Civil) No.851 of 2018 is set aside, it will be open for the revenue to seek revival of this appeal.

C. V. BHADANG, J. SHANTANU S. KEMKAR, J.

hvn