

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

INCOME TAX APPEAL NO. 2783 OF 2009

The Commissioner of Income Tax-XVI .. Appellant

v/s.

M/s. Blue Star ..Respondent

Mr. Suresh Kumar for the appellant
Mr. Divesh Fotaria for the respondent

**CORAM : M.S. SANKLECHA &
SANDEEP K. SHINDE, J.J.**

DATED : 9th AUGUST, 2018.

P.C.

1. On 25th July, 2018, this appeal was kept on yesterday's board under the caption "for withdrawal". However, Mr. Suresh Kumar, sought time and at his request the appeal was kept today.

2. Mr. Suresh Kumar, learned Counsel appearing for the Revenue states that inspite of his best efforts, he has not received any instructions from the Revenue whether to prosecute this appeal or withdraw this appeal bearing in mind that the tax effect involved in the appeal is less than Rs.50 lakhs.

3. In the above view, the present appeal is dismissed for non-prosecution.

(SANDEEP K. SHINDE J.)

(M.S. SANKLECHA, J.)