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

INCOME TAX APPEAL NO. 667 OF 2016

Pr. Commissioner of Income Tax-1 .. Appellant
v/s.
Egain Communications Pvt. Ltd. .. Respondent

Mr. Suresh Kumar for the appellant
None for the respondent

CORAM : AKIL KURESHI &
M.S. SANKLECHA, J.J.

DATED : 7th DECEMBER, 2018.

P.C.

1. The appeal challenges the order dated 15th July, 2015 passed by the Income Tax Appellate Tribunal.

2. At the very outset, Mr. Suresh Kumar, learned Counsel appearing for the Revenue files an affidavit of Mr. Kumar A. Bhardwaj, Dy. Commissioner of Income Tax, Circle-1(2), Pune dated 3rd December, 2018 stating that inadvertently the tax effect was wrongly mentioned in the appeal memo at Rs.81.47 lakhs and that the correct tax effect is Rs.27.42 lakhs.

3. Mr. Suresh Kumar, learned Counsel appearing in support of the appeals invites our attention to the Circular No.3/2008 dated 11th July, 2018 issued by the Central Board of Direct Taxes which *inter alia* directs the Revenue not to press the pending appeals where the tax

effect is less than Rs.50 lakhs.

4. In view of the above Circular, Mr. Suresh Kumar has been instructed not to press the appeal as the tax effect involved in the present appeal is less than the threshold limits of Rs.50 lakhs.

5. Accordingly, the appeal is dismissed as not pressed.

6. Refund of Court Fees as per Rules.

(M.S. SANKLECHA, J.) **(AKIL KURESHI, J.)**