Sharayu Khot.

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

INCOME TAX APPEAL NO. 1011 OF 2015

Pr. Commissioner of Income Tax-3 **...Appellant**

Versus

M/s. Associated Breweries & Distillaries Pvt.Ltd. **...Respondent**

Mr. Ashok Kotangle, i/by Ms. Padma Divakar, for the Appellant.

Mr. Mihir Naniwadekar, for the Respondent.

CORAM : M.S. SANKLECHA & RIYAZ I. CHAGLA, JJ.

DATE : 20 February 2018

ORDER :

1. This Appeal under Section 260A of the Income Tax Act, 1961 ("***The Act***" for short), challenges the order dated 19 November 2014 passed by the Income Tax Appellate Tribunal

(“***The Tribunal***” for short). The impugned order dated 19 November 2014 is in respect of Assessment Year 1998-99.

2. The copy of the order dated 19 November 2014 passed by the Tribunal for deleting penalty is challenged by the Revenue in this Appeal. However, by mistake in the Appeal filed in this Court, one of the two copies of the Appeal annexed the copy of the order dated 25 August 2009 passed by the Tribunal relating to quantum proceedings.

3. Mr. Kotangale, the learned Counsel for the Revenue, seeks liberty to annex the correct copy of the Tribunal's order dated 19 November 2014 which is impugned in the present Appeal.

4. The amendment to carry out forthwith.

5. Mr. Naniwadekar, the learned Counsel for the Respondent-Assessee, has correct copy of the order dated 19 November 2014, which is impugned in the present Appeal and

has no objection with the correct copy being added to the Appeal memo.

6. Reverification dispensed with. We shall now separately take up the Appeal for consideration.

[RIYAZ I. CHAGLA J.] **[M.S. SANKLECHA, J.]**