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

NOTICE OF MOTION NO. 723 OF 2018
IN
INCOME TAX APPEAL (L) NO.1484 OF 2017

The Pr. Commissioner of Income Tax-4 .. Applicant

In the matter between

The Pr. Commissioner of Income Tax-4 .. Appellant

v/s.
Tata Ficosa Automotive Systems Ltd. .. Respondent

Mr. Sham Walve for the applicant / orig. appellant
Mr. Atul Jasani for the respondent

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

DATED : 12th DECEMBER, 2018.

P.C.

1. This application is to set aside the order dated 12th April, 2018 passed by the Prothonotary and Senior Master, rejecting the petitioner's appeal under Rule 986 of the Bombay High Court (Original Side) Rules.

2. Mr. Walve, learned Counsel appearing for the Revenue, on instructions, seeks to withdraw this motion as the tax effect involved in the accompanying appeal is less than Rs.50 lakhs. Thus, being below the threshold limit, provided in Circular No.3/2018 dated 11th July,

2018 issued by the Central Board of Direct Taxes which *inter alia* directs the Revenue not to file fresh appeals or press the pending appeals in the High Court where the tax effect is less than Rs.50 lakhs.

3. In the above view, Notice of Motion is dismissed as withdrawn.

4. The appeal in which this motion has been taken out already stands rejected by order dated 12th April, 2018 of the Prothonotary and Senior Master. Thus, nothing survives in this count.

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