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

INCOME TAX APPEAL NO.804 OF 2015

The Commissioner of Income Tax (TDS) -1. … Appellant
Versus
K. Raheja Corporate Services Pvt. Ltd. …Respondent

Mr. Suresh Kumar, for the Appellant.
Mr. Percy Pardiwala, with Ms. Sanidha Vedpathak, i/b Maneksha & Sethna for the Respondent.

CORAM: M.S.SANKLECHA &
RIYAZ I. CHAGLA, JJ.
DATED: 5TH FEBRUARY 2018.

PC:-

1. Mr. Suresh Kumar, the learned counsel for the Appellant – Revenue seeks to withdraw this Appeal from the order dated 14th August 2013 passed by the Income Tax Appellate Tribunal relating to Assessment Year 2010-11.

2. The issue arising in this Appeal is with respect to the applicability of TDS provision of Section 194-I of the Income Tax Act, 1961, i.e. in respect of payment of lump sum lease premium for acquisition of long term lease.

3. Mr. Suresh Kumar, the learned counsel for the Appellant

states that in view of the CBDT Circular No. 35 of 2016 dated 13th October 2016, he has been instructed to withdraw the Appeal.

4. In the above view, the Appeal is dismissed as withdrawn. Refund of Court fees as per Rules.

(RIYAZ I. CHAGLA J.) **(M.S.SANKLECHA,J.)**