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

INCOME TAX APPEAL NO. 292 OF 2016

The Principal Commissioner of Income Tax-9 ... Appellant

V/s.

M/s. C.R. Developments Pvt. Ltd. ... Respondent

Mr. Arvind Pinto for the Appellant.
Ms. Namrata Kasale I/b Sameer Dalal for the Respondent.

CORAM : M.S. SANKLECHA &
SANDEEP K. SHINDE, JJ.
DATE : 05th JULY, 2018

P.C.:

. This appeal relates to Assessment Year 2009-2010.

2 Mr. Pinto, learned Counsel appearing for the Revenue invited our attention to Circular No.21 of 2015 issued by the Central Board for Direct Tax dated 10th December, 2015. In particular, our attention is invited to paragraphs 3 and 10 therein which read as under:-

"3:- Henceforth, appeals/SLPs shall not be filed in cases where the tax effect does not exceed the monetary limits given hereunder:-

S. No.	*Appeals in Income Tax matters*	*Monetary Limit (in Rs.)*
1	*Before Appellate Tribunal*	*10,00,000/-*

2	*Before High Court*	*20,00,000/-*
3	*Before Supreme Court*	*25,00,000/-*

> *It is clarified that an appeal should not be filed merely because the tax effect in a case exceeds the monetary limits prescribed above. Filing of appeal in such cases is to be decided on merits of the case."*

"10:- *This instruction will apply retrospectively to pending appeals and appeals to be filed henceforth in High Courts/ Tribunals. Pending appeals below the specified tax limits in para 3 above may be withdrawn/not pressed. Appeals before the Supreme Court will be governed by the instructions on this subject, operative at the time when such appeal was filed."*

2 The Tax effect in the present appeal is Rs.11,37,000/- as mentioned in paragraph 10 of the appeal memo. In view of the above, Mr. Pinto, learned Counsel for the Revenue on instructions does not press the present appeal.

3 Hence, appeal is dismissed as withdrawn.

4 Refund of court fees as per Rules.

(SANDEEP K. SHINDE, J.) **(M.S. SANKLECHA, J.)**