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

INCOME TAX APPEAL NO. 80 of 2016

Commissioner of Income Tax .. Appellant

v/s.

M/s. IDBI Bank Ltd. ..Respondent

Mr. A.R. Malhotra for the appellant
Mr. Satish Mody for the respondent

CORAM : M.S. SANKLECHA &
ANUJA PRABHUDESSAI, J.J.

DATED : 4th MAY, 2018.

P.C.

1. Heard. This appeal relates to Assessment Year 2010-11.

2. The Revenue has urged only the following questions of law for our consideration :-

(i) Whether on the facts and in the circumstances of the case and in law, the Tribunal was right in agreeing with the findings of the CIT(A) who erred in holding that the payment of lease premium made to MMRDA is not covered u/s 194 I ?

3. Mr. Malhotra, learned Counsel appearing for the Revenue, on instructions, seeks to withdraw the present appeal in view of the CBDT

Circular No.35 of 2016 dated 13th October, 2016 wherein it has been directed that lumpsum payment of lease premium would not be covered for tax deduction under Section 191-I of the Act.

4. In the above view, the appeal is disposed of as withdrawn. Refund of Court Fees, as per Rules.

(ANUJA PRABHUDESSAI, J.) **(M.S. SANKLECHA, J.)**