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

INCOME TAX APPEAL NO. 1055 OF 2016

Commissioner of Income Tax-2 .. Appellant
v/s.
M/s. Dhun Jehan Contractor .. Respondent

WITH
CROSS OBJECTION NO. 17 OF 2016
IN
INCOME TAX APPEAL NO. 1055 OF 2016

M/s. Dhun Jehan Contractor .. Appellant
v/s.
Commissioner of Income Tax-2 .. Respondent

Mr. Tejveer Singh for the appellant
Mr. Jignesh Shah for the respondent in ITXA 1055/16 and for the appellant in CROL 17/16

CORAM : AKIL KURESHI &
M.S. SANKLECHA, J.J.
DATED : 14th DECEMBER, 2018.

P.C.

1. This appeal challenges the order dated 13th May, 2015 passed by the Income Tax Appellate Tribunal.

2. Mr. Tejveer Singh, learned Counsel appearing in support of the appeal invites our attention to the Circular No.3/2018 dated 11th July, 2018 issued by the Central Board of Direct Taxes which *inter alia* directs the Revenue not to press the pending appeals where the tax effect is less than Rs.50 lakhs.

3. In view of the above Circular, Mr. Tejveer Singh has been instructed not to press the appeal as the tax effect involved in the present appeal is less than the threshold limits of Rs.50 lakhs.

4. Accordingly, the appeal is dismissed as not pressed. Refund of Court Fees as per Rules.

5. Mr. Shah, learned Counsel appearing for the applicant in Cross Objection states that in view of the withdrawal of the appeal, the cross objection is also not being pressed. Therefore, the cross objection is also dismissed as infructuous.

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