

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CM-19290-CII-2018 in/and
ITA No.524 of 2005 (O&M)
Date of Decision: 01.10.2018**

Commissioner of Income Tax-I, Ludhiana

...Appellant

VS.

M/s Eastman Industries

... Respondent

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. Rajesh Katoch, Advocate for the appellant

Mr. Rajiv Sharma, Advocate for the respondent

SURYA KANT J. (Oral)

(1) The prayer in this application is to dismiss the appeal in view of the recent Circular No.3/2018 dated 11.07.2018 issued by the Ministry of Finance, Department of Revenue, Central Board Direct Taxes vide which it has been directed that the appeals before the High Court shall not be filed in cases where tax effect is less than ₹ 50 lacs.

(2) Learned counsel for Revenue has handed over a copy of the communication dated 27.09.2018 from the Income Tax Department to the effect that the tax effect involved in this case is ₹ 26,08,324/- and he does not want to press this appeal on merits.

(3) In view of the CBDT Circular, the application is allowed and the instant appeal is dismissed as not pressed. As prayed for by learned counsel for the appellant, liberty is granted to the Revenue to seek revival of the appeal, if need be, in the changed circumstances. The question of law is also kept open.

**(Surya Kant)
Judge**

01.10.2018

vishal shonkar

**(Sudip Ahluwalia)
Judge**

1. Whether speaking/reasoned?
2. Whether reportable?

**Yes/No
Yes/No**