HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CM-20902-CII-2018 in/and
ITA No.562 of 2006 (O&M)
Date of Decision: 28.09.2018

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Commissioner of Income-tax, Ludhiana ...Appellant

VS.

Eastman Industries ... Respondent

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

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Present: Mr. Rajesh Katoch, Advocate for the appellant

Mr. Sunil Kumar Mukhi, Advocate for the respondent

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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 states that the tax effect involved in this case is ₹ 39,55,479/- 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

28.09.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned? ***Yes***
2. Whether reportable? ***No***