

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

ITA-610-2008 (O&M)
Date of Decision: December 17, 2018

The Commissioner of Income Tax-I, Chandigarh. ...Appellant

Versus

M/s Jaspal Bhatti Films Pvt. Ltd. ...Respondent

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE.
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present: Ms. Urvashi Dhugga, Advocate, for the appellant.

Mr. Alok Mittal, Advocate, for the respondent.

KRISHNA MURARI, C.J. (ORAL)

Learned counsel for the appellant-revenue states that since the tax effect involved is Rs. 35,97,606/-, she has instructions to withdraw the present appeal in view of Circular No. 03/2018, dated 11.07.2018 issued by the Central Board of Direct Taxes, New Delhi. However, she has prayed that liberty be granted to the revenue to file an application for revival of the appeal in case something survives therein.

Dismissed as withdrawn with liberty as prayed for. It is, however, clarified that withdrawal of the appeal by the revenue shall not be taken to be affirmation of order of the Tribunal on merits. Further, the legal issue as claimed by the revenue is being left open to be adjudicated in an appropriate case.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

December 17, 2018

Pk Kapoor

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO