IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

ITA-222-2011 (O&M)

Date of Decision: 1.8.2018

The Commissioner of Income Tax-I, Chandigarh

...Appellant.

Versus

M/s Pepsi Foods Pvt. Ltd., Chandigarh

...Respondent.

CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE AVNEESH JHINGAN.

PRESENT: Ms. Urvashi Dhugga, Sr. Standing Counsel for the appellant.

Mr. Vishal Kalra, Advocate for the respondent.

AJAY KUMAR MITTAL, J.

1. Learned counsel for the appellant-revenue states that since the tax effect involved is ₹ 31,42,030/-, she has instructions to withdraw the present appeal as well as the applications in view of Circular No.03/2018, dated 11th July, 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.

2. Dismissed as withdrawn with liberty as prayed for.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.

(AJAY KUMAR MITTAL)
JUDGE

August 1, 2018
gbs

(AVNEESH JHINGAN)
JUDGE

Whether Speaking/Reasoned Yes/No

Whether Reportable Yes/No