IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

ITA-32-2014

Date of Decision: 18.7.2018

Commissioner of Income Tax (Central), Ludhiana

...Appellant.

Versus

M/s Jindal Fine Industries, Ludhiana

...Respondent.

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

PRESENT: Mr. Rajesh Katoch, Sr. Standing Counsel for the appellant.

Mr. Rajiv Sharma, Advocate for the respondent.

**AJAY KUMAR MITTAL, J.**

1. Learned counsel for the appellant-revenue states that since the tax effect involved is ₹ 20,18,090/-, he has instructions to withdraw the present appeal in view of Circular No.03/2018, dated 11th July, 2018, issued by the Central Board of Direct Taxes, New Delhi. However, he 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 Dismissed as withdrawn with liberty as prayed for.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**

July 18, 2018
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**(AVNEESH JHINGAN)**
**JUDGE**

**Whether Speaking/Reasoned Yes/No**
**Whether Reportable Yes/No**