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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ITA 267/2005

DIRECTOR OF INCOME TAX ..... Appellant

Through Mr. Rahul Chaudhary, and Ms.Vibhuti Malhotra, Advs.

versus

M/S HCL LTD. ..... Respondent

Through Mr. Ajay Vohra, Sr. Advocate with Ms. Kavita Jha and Ms. Devika Jain, Advs.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

O R D E R

% **01.03.2018**

For this appeal, the question was framed on 31.10.2007; pertaining to the correct interpretation of agreement between M/s Tolerant Systems Inc. and HCL to the tune of ₹48,38,314/- for AY 1989-90 and whether the said amount could be included in the taxable income of Tolerant Systems Inc.

During the pendency of this appeal, Central Board of Direct Taxation (CBDT) issued Circular no. 21 of 2015 directing that all appeals where the tax effect was below ₹20 lacs – are pending and matters yet to be filed were not to be contested. Since the tax effect in this case is lower than ₹20 lacs, the present appeal is not maintainable. Ld. Standing Counsel informs that despite repeated attempts, no instructions are forthcoming as to the recurring tax effect.

In the circumstances, the ITA 267/2005 is accordingly dismissed as not maintainable.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MARCH 01, 2018

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