

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1550 OF 2019

The Commissioner of Income Tax
(International Taxation)-4 ... Petitioner

V/s.
Van Oord Degrading and
Marine Contractors BV ... Respondent

Ms.Vaibhavi Gala with Ms.Shaista Hadi i/by Mr.Charanjeet
Chanderpal for the Petitioner.
Mr.Nishant Thakkar i/by Mr.Atul Jasani for the
Respondent.

**CORAM : AKIL KURESHI AND
S.J.KATHAWALLA, JJ.
DATE : JUNE 24, 2019.**

P.C.:-

1. This petition is filed by the Department challenging an order passed by the Income Tax Appellate Tribunal extending stay in favour of the assessee beyond the period of 360 days. Department contends that the action of the Tribunal was beyond its authority. This issue is squarely covered by the judgment of this Court in case of **Commissioner of Income-tax Vs. Tata**

Teleservices (Maharashtra) Ltd.¹, though we are informed that Department has filed appeal before the Supreme Court. Be that as it may, learned counsel for the respondent-assessee stated that by now the appeal itself has been disposed of by the Tribunal. He places on record the copy of the order dated 31st May, 2019. In that view of the order, this petition has become infructuous. Petition disposed of accordingly.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)

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1 (2017) 81 taxmann.com 348 (Bombay)