JPP

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

INCOME TAX APPEAL NO. 2886 OF 2018

Commissioner of Income Tax (Exemption)
Mumbai … Appellant
V/s.
Cancer Aid and Research Foundation ... Respondent

ALONGWITH
INCOME TAX APPEAL NOS.
2906/2018, 2918/2018, 2921/2018, 2925/2018, 2935/2018, 2946/2018, 2972/2018, 2973/2018, 2986/2018, 2990/2018, 2992/2018, 2993/2018, 3011/2018, 3016/2018, 3017/2018, 3020/2018, 3022/2018, 3060/2018, 3061/2018, 3071/2018, 3076/2018, 3090/2018, 3096/2018, 3100/2018, and 250 /2019

Mr. Sham Walve for the Appellants in ITXA No. 2886/18, 2925/18, 2990/18, 2993/18, 3011/18, 3016/18, 3017/18, 3061/18, 3096/18, 3100/18 and 250/19
Mr. Suresh Kumar for the Appellants in ITXA Nos. 2906/18, 2918/18, 2921/18, 2946/18, 2972/18, 2973/18, 2992/18, 3020/18, 3022/18, 3060/18, 3076/18, 3090/18.
Mr. Ashok Kotangale for the Appellant in ITXA No. 2935/18 and 2986/18
Mr. Atul Jasani for the Respondents in ITXA Nos. 2886/18, 2946/18, 3020/18 and 3061/18
Mr. Jas Sanghavi for the Respondents in ITXA No. 2906/18, 2972/18.
Mr. P.C. Tripathi for the Respondent in ITXA No. 2925/18.
Mr. Balasaheb Yewale and Ms. Rupali Vasaikar for the Respondents in ITXA Nos. 3011/18, 3016/18, 3017/18, 3022/18 and 250/19.
Mr. Jignesh R. Shah for the Respondent in ITXA No. 3100/18

CORAM : M.S. SANKLECHA &
NITIN JAMDAR, JJ.
DATE : 18 OCTOBER 2019.

P.C. **:-**

On an earlier occasion, we had adjourned these Appeals at the instance of the learned Counsel for the Revenue to enable them to take instructions to withdraw these Appeals in terms of Circular No. 17 of 2019 dated 8 August 2019 issued by the Central Board for Direct Taxes (CBDT).

2. Today, the learned Counsel appearing in support of these Appeals state that in spite of their best efforts, no instructions are forthcoming from the Revenue. All of them state that the tax effect involved in all these Appeals is less than the threshold limit of Rs. 1.00 crore provided in the CBDT Circular dated 8 August 2019.

3. In the above view, all the Appeals are disposed of in terms of the above Circular.

4. Refund of Court fees as per Rules.

5. However, it is made clear that in case the Officers of the Revenue inform the learned Counsel for the Revenue that any of these Appeals are not covered by the above CBDT Circular dated 8 August 2019, then the parties are at liberty to move this Court for recall of this order in respect of those Appeals.

NITIN JAMDAR, J. **M. S. SANKLECHA, J .**