IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ITA-327-2016(O&M)
Date of decision: 28.03.2019

Pr. Commissioner of Income Tax-2, Ludhiana

… Appellant

Versus

M/s Avon Ispat & Power Ltd.

… Respondent

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Rajesh Katoch, Advocate, for the appellant.

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KRISHNA MURARI, C.J. (Oral)

Learned counsel for the appellant-revenue states that since the tax effect involved is less than Rs.50 lacs, he has instructions to withdraw the present appeal in view of Circular No. 03/2018, dated 11.07.2018 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 Dismissed as withdrawn with liberty as prayed for.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.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

28.03.2019
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO