

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**ITA No. 474 of 2018 (O&M)
Date of Decision: 26.8.2019**

The Principal Commissioner of Income Tax, GurgaonAppellant

Vs.

M/s BMW India Pvt. Ltd.Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Tajender K. Joshi, Senior Standing Counsel
for the appellant.

AJAY TEWARI, J. (ORAL)

Learned counsel for the appellant-revenue has very fairly stated that since the tax effect involved is less than Rs. One crore, he has instructions to withdraw the present appeal in view of Circular dated 17/2019 dated 08.08.2019 issued by the Central Board of Direct Taxes, New Delhi. However, he has prayed that liberty be granted to revenue to file an application for revival of the appeal in case something survives therein.

Dismissed as withdrawn with liberty as prayed for. Further the legal issue as claimed by the revenue is being left open to be adjudicated in an appropriate case.

**(AJAY TEWARI)
JUDGE**

**(HARNARESH SINGH GILL)
JUDGE**

August 26, 2019
Gurpreet

**Whether speaking /reasoned : Yes
Whether Reportable : No**