IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM No. 1159-CII of 2018 in/and
ITA No. 9 of 2018 (O&M)
Date of Decision: 26.8.2019

Principal Commissioner of Income Tax, Faridabad ....Appellant

Vs.

M/s Knorr Bremse 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.

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AJAY TEWARI, J. (ORAL)

CM No. 1159-CII of 2018

This is an application under Section 260A (2A) of the Income Tax Act read with Section 5 of Limitation Act, 1963 seeking condonation of delay of 289 days in filing the present appeal.

For the reasons stated in the application, the same is allowed.

Delay of 289 days in filing the appeal is condoned.

ITA No. 9 of 2018 (O&M)

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Dismissed as withdrawn with liberty as prayed for.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