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

INCOME TAX APPEAL NO. 1560 OF 2017

HSBC Bank (Mauritus) Ltd. … Appellant

V/s.

The Deputy Commissioner of Income Tax,
(International Taxation) 2(2)(2), Mumbai ... Respondent

Mr. Percy Pardiwalla, Senior Advocate a/w. Mr. Niraj Sheth i/b. Atul K. Jasani for the Appellant
Mr. Tejveer Singh for the Respondent

CORAM : NITIN JAMDAR &
M.S. KARNIK, JJ.

DATE : 09 JANUARY 2020.

P.C. **:-**

Mr. Pardiwalla, the learned Senior Advocate for the Appellant states that the Appellant had moved a Misc. Application for rectification under Section 254(2) of the Income Tax Act, 1961 and an order is passed on 10 January 2018 recalling the order which is impugned in the Appeal, in respect of one part of the controversy. The learned Senior Advocate submits that if the Revenue files a Writ Petition to get the order passed in Misc. Application set aside then the Appellant would be constrained to pursue the Appeal. He states that to his knowledge no Writ Petition as on date is filed by the Revenue and therefore, presently there is no warrant to pursue the Appeal.

2. The Appeal is accordingly disposed of as infructuous.

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

Jyoti P. Pawar Digitally signed by Jyoti P. Pawar Date: 2020.01.15 12:51:12 +0530