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

INCOME TAX APPEAL NO. 1427 OF 2017

Commissioner of Income Tax- LTU .. Appellant

v/s.

Aditya Birla Minacs BPO Pvt. Ltd. .. Respondent

Mr. Suresh Kumar a/w. Ms. Priyanka Tiwary for the Appellant.
Mr. Atul K. Jasani for the Respondent.

CORAM: UJJAL BHUYAN &
MILIND N. JADHAV, JJ.

DATE : FEBRUARY 11, 2020

P. C :-

1. Heard Mr. Suresh Kumar, learned standing counsel revenue for the appellant and Mr.Atul Jasani, learned counsel for the respondent-assessee.

2. This appeal under Section 260A of the Income-Tax Act, 1961 (**“the Act”** for short) is preferred against the order dated 18.10.2016 passed by the Income-Tax

Appellate Tribunal, "K" Bench, Mumbai (**"Tribunal"** for short) in Income Tax Appeal No. 566/Mum/2015 for the Assessment Year 2010-11.

3. As per the assessment order dated 28.11.2014 total income of the respondent-assessee was determined at Rs.1,37,30,018.00. It is submitted that the tax effect would be well below the enhanced prescribed limit of Rs.1 Crore in terms of Circular No. 17 of 2019 of Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes dated 08.08.2019.

4. On 07.01.2020 learned standing counsel sought for time to ascertain the tax effect involved in this appeal and also to take instructions in terms of the aforesaid circular.

5. Today, when the matter is called upon, Mr.Kumar, learned standing counsel submits that he has not received any instruction.

6. Be that as it may, in view of the aforesaid Circular the appeal stands dismissed as withdrawn. However, if the appellant finds that the appeal is covered by any of the exceptions mentioned in the said circular, appellant would be at liberty to seek revival of the appeal.

7. Court fee paid may be returned as per rules.

(MILIND N. JADHAV, J.) **(UJJAL BHUYAN, J.)**