

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

INCOME TAX APPEAL NO. 1645 OF 2016

Pr. Commissioner of Income Tax-23 .. Appellant

Versus

Parvez Mohammad Hussain Ghaswala .. Respondent

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- Mr.Sham Walve a/w. Mr.Pritish Chatterji for Appellant.
 - Ms. Aasifa Khan for Respondent.
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**CORAM : UJJAL BHUYAN &
MILIND N. JADHAV, JJ.**

DATE : MARCH 3, 2020.

P.C. :

1. Heard Mr.Sham Walve, learned standing counsel revenue for the appellant and Ms. Aasifa Khan, learned counsel for the respondent-assessee.

2. On 29.01.2020, the following order was passed:

"2. It is seen that dispute claim in the appeal is Rs.3,24,209.00 as per own statement made by the appellant.

3. Mr.Sham Walve, learned standing counsel, revenue to obtain instructions from the department as to

whether this case is covered by CBDT Circular No. 17/2019 dated 8.8.2019."

3. Today, when the matter is called upon, Mr. Walve, learned standing counsel fairly submits that the tax effect in this appeal is Rs.3,24,209.00 which is well below the prescribed limit for filing of appeal before the High Court by the Income Tax Department in terms of CBDT Circular No. 17 of 2019 dated 08.08.2019.

4. In view of the above, the appeal is dismissed as withdrawn.

5. Court fee to be refunded as per rules.

[MILIND N. JADHAV, J.]

[UJJAL BHUYAN, J.]