

HIGH COURT AT CALCUTTA
ORIGINAL SIDE

ITA No.31 of 2014
(Through Video Conferencing)

Commissioner of Income Tax, Kolkata-II

....Appellant(s)

Through : Mr. P. K. Bhowmik, Advocate

v/s

M/s. Madhu Jayanti International Limited

....Respondent(s)

Through : Mr. J.P. Khaitan, Senior Advocate (VC)
Ms. Swapna Das, Mr. Sanjay Bhaumik,
Mr. Siddhartha Das, Advocates (VC)

Coram : HON'BLE MR. JUSTICE RAJESH BINDAL, JUDGE

HON'BLE MR. JUSTICE ANIRUDDHA ROY, JUDGE

O R D E R

1. The present appeal has been filed by the Revenue raising substantial questions of law arising out of order dated July 20, 2012 passed by the Income Tax Appellate Tribunal, Special Bench, Kolkata in ITA No.1463/Kol/2007, for the assessment year 2004-05.

2. Learned counsel for the appellant submitted that in view of Circular No.17/2019 F.No.279/Misc.142/2007-ITJ(Pt.) issued by Government of India, Ministry of Finance, Department of Revenue, Central Board Direct Taxes, Judicial Section dated August 8, 2019, monetary limit for filing appeals before the High Court has been increased to ₹ one crore and the tax effect in the present appeal being less than that, he may be permitted to withdraw the present appeal.

3. We allow the prayer made by the learned Counsel for the appellant. Appeal is dismissed as withdrawn, while keeping open the legal issue raised therein.

(ANIRUDDHA ROY)
JUDGE

(RAJESH BINDAL)
JUDGE

Kolkata
08.01.2021
akg/S. Kumar