

HIGH COURT AT CALCUTTA
(ORIGINAL SIDE)

ITAT/198/2019
IA No.GA/1/2019
(Old No.GA/2969/2019)
GA/2/2019
(Old No.GA/2970/2019)
(Through Video Conferencing)

COMMISSIONER OF INCOME TAX, CENTRAL-3, KOLKATA

....Appellant(s)

Through: Mr. S.N. Datta, Advocate.

v/s

BARAK VALLEY CEMENTS LTD.

....Respondent(s)

Through: None.

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

HON'BLE MR. JUSTICE ANIRUDDHA ROY, JUDGE

O R D E R

1. Learned counsel for the applicant/appellant submitted that he may be permitted to withdraw the appeal as the same has been filed wrongly in this Court. The jurisdiction in this case lies with the Guwahati High Court as the order was passed by the Income Tax Appellate Tribunal, Guwahati Bench, at Guwahati and the assessee is based at Guwahati. Appeal against the said order of the Tribunal has already been filed before the Guwahati High Court.

2. Dismissed as withdrawn.
3. Withdrawal of the present appeal will not affect the merits of the controversy in the appeal filed against the said order before the Guwahati High Court.

KOLKATA
13.01.2021
pkd/As.

(ANIRUDDHA ROY)
JUDGE

(RAJESH BINDAL)
JUDGE