Serial No. OD - 2

# HIGH COURT AT CALCUTTA

(ORIGINAL SIDE)

ITAT/234/2011
IA NO:GA/1/2011 (OLD NO: GA/2451/2011)
(Through Video Conferencing)

COMMISSIONER OF INCOME TAX, KOLKATA – II, KOLKATA
….Appellant(s)

Through:Mr. Tilak Mitra, Advocate with
Ms. Madhu Jana, Advocate.
Mr.Sanjay Kumar, CIT (Judicial)

v/s

M/s. TURNER MORISON LAND 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. The revenue has filed the present appeal against the order dated March 11, 2011 passed by the Income Tax Appellate Tribunal "A" Bench Kolkata in I.T.A. No. 1840 (Kol) of 2009, for the assessment year 2005-06.

2. Learned counsel for the appellant pointed out that in paragraph 2 of the stay application, it has been mentioned that the tax effect in the present appeal is ₹66,05,994/-. The same being below the minimum limit prescribed for filing or pursuing of appeals in the High Court vide Circular No.17/2019 F.No.279/Misc.142/2007-ITJ(Pt.) issued by the Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes,

Judicial Section dated August 8, 2019, the appellant be permitted to withdraw the present appeal.

3. In view of the facts as stated above, the present appeal is dismissed as withdrawn, however, keeping open the questions of law raised therein.

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| KOLKATA | **(ANIRUDDHA ROY)** | **(RAJESH BINDAL)** |
| 26.03.2021 | **JUDGE** | **JUDGE** |
| akg/skumar | | |