Serial No. OD - 4

HIGH COURT AT CALCUTTA

(ORIGINAL SIDE)

ITAT/138/2015
IA NO:GA/1/2015 (OLD NO: GA/3178/2015)
GA/2/2015 (OLD NO: GA/3179/2015)
(Through Video Conferencing)

COMMISSIONER OF INCOME TAX, KOLKATA – 13, KOLKATA
….Appellant(s)

Through:Mr. Sanjay Kumar, CIT (Judicial).

v/s

SHRI PRADIP KUMAR GHOSH
. ….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 September 2, 2014, passed by the Income Tax Appellate Tribunal "B" Bench, Kolkata in I.T.A. Nos. 133/Kol/2008 for the assessment year 1996-97 and 134/Kol/2008 for the assessment years 1997-98.

2. Learned counsel for the appellant pointed out that in paragraph 11 of the stay application it has been mentioned that the tax effect in the present appeal is ₹14,84,215/- and ₹22,71,272/- for the assessment years 1996-97 and 1997-98 respectively. 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 may 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 In view of the facts as stated above, the present appeal is dismissed as withdrawn, however, keeping open the questions of law raised therein.

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