

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Income Tax)
ORIGINAL SIDE

ITA 57 of 2011
IA No. GA 1 of 2010 (Old No. GA 3531 of 2010)

COMMISSIONER OF INCOME TAX, KOLKATA-XVII
VERSUS
DEO KUMAR SARAF

BEFORE:

The Hon'ble JUSTICE T. S. SIVAGNANAM

AND

The Hon'ble JUSTICE HIRANMAY BHATTACHARYYA

Date : 17th January, 2022.

Appearance:
Mr. Arunava Ganguly, Adv.
...for the appellant
Mr. Malay Dhar, Adv.
Mr. Bhaskar Sengupta, Adv.
...for the respondent.

The Court : This appeal filed by the revenue under Section 260A of the Income Tax Act is directed against the order passed by the Income Tax Appellate Tribunal, Kolkata.

The learned standing counsel appearing for the appellant/revenue has given instructions to the effect that this appeal cannot be prosecuted by the appellant/revenue on the ground of low tax effect.

Recording the said submission, the appeal stands dismissed on the ground of low tax effect.

Consequently, substantial questions of law which have been raised are left open.

The application being IA No. GA 1 of 2010 (Old No. GA 3531 of 2010) for stay also stands dismissed.

(T. S. SIVAGNANAM, J.)

(HIRANMAY BHATTACHARYYA, J.)