OD-15

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

ITAT 201 of 2018
IA No.GA 1 of 2018 (Old No. GA 1617 of 2018),
GA 2 of 2018(Old No.GA 1618 of 2018)

PRINCIPAL COMMISSIONER OF INCOME TAX-4, KOLKATA
VERSUS
M/S. WESTING HOUSE SEXBY FARMR LTD.

BEFORE:
The Hon'ble JUSTICE T. S. SIVAGNANAM
AND
The Hon'ble JUSTICE HIRANMAY BHATTACHARYYA
Date : 3rd January, 2022.

Appearance:
Mr. Soumen Bhattacharya, Adv.
...for the appellant.

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.

We have heard Mr. Soumen Bhattacharya, learned standing counsel appearing for the appellant/revenue.

We are satisfied with the reasons assigned in the affidavit filed in support of the petition. Accordingly, delay in filing the appeal is condoned. The application being IA No.GA 1 of 2018(Old No.GA 1617 of 2018) for condonation of delay stands allowed.

The learned standing counsel appearing for the appellant/revenue on instructions from the department submitted that the appeal cannot be pursued by the revenue on account 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 GA 2 of 2018 (Old No. 1618 of 2018) for stay also stands dismissed.

(T. S. SIVAGNANAM, J.)

(HIRANMAY BHATTACHARYYA, J.)

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