OD-10

ITAT/197/2016
IA No.GA/1/2016 (Old No.GA/1608/2016)

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

PRINCIPAL COMMISSIONER OF INCOME TAX, KOLKATA-II, KOLKATA

-Versus-

M/S. TEA TIME LIMITED

Appearance:
Mr. Prithu Dudheria, Adv.
...for the appellant.

Mr. J. P. Khaitan, Sr. Adv.
Mr. Siddhartha Das, Adv.
Ms. Swapna Das, Adv.
...for the respondent.

BEFORE:
The Hon’ble JUSTICE T.S. SIVAGNANAM
-And-
The Hon’ble JUSTICE BIVAS PATTANAYAK

Date : 15th July, 2022.

The Court : This appeal filed by the revenue under Section 260A of the Income Tax Act, 1961 (the ‘Act’ for brevity) is directed against the order dated 20th November, 2015 passed by the Income Tax Appellate Tribunal, Kolkata, “C” Bench, Kolkata in ITA Nos.1382 & 1383/Kol/2009 for the assessment years 2002-03 and 2003-04.

We have heard Mr. Prithu Dudheria, learned standing counsel for the appellant/revenue and Mr. J. P. Khaitan, learned senior counsel assisted by Mr. Siddhartha Das and Ms. Swapna Das, learned Advocates for the respondent.

The learned counsel appearing for the appellant submitted that the tax effect involved in this appeal is lesser than the threshold limit fixed by the CBDT and, consequently, the revenue cannot pursue the matter.

Accordingly, the appeal filed by the revenue (ITAT/197/2016) stands dismissed on the ground of low tax effect and the substantial questions of law are left open.

Consequently, the connected application for stay (IA No.GA/1/2016) also stands closed.

(T.S. SIVAGNANAM, J.)

(BIVAS PATTANAYAK, J.)

As/S.Das
AR(CR)