

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 2055 OF 2013

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Director of Income Tax (IT)-I,
Scindia House, 1st Floor,
Ballard Estate, N.M. Road,
Mumbai – 400 038. .. Appellant

Vs.

Dresdner Bank AG
(Now merged with Commerzbank AG,
B.S.R. & Co., (Chartered Accountants)
1st Floor, Lodha Excellus,
Appollo Mills Compound,
N.M. Joshi Marg, Mahalaxmi,
Mumbai-400 011
PAN : AABCD 6674 M .. Respondent

Ms. Samiksha Kanani i/b Mr.Vipul Bajpayee for appellant.
Mr. Atul K. Jasani for respondent.

**CORAM : DHIRAJ SINGH THAKUR AND
ABHAY AHUJA, JJ.**

DATE : 7th SEPTEMBER 2022

PC :

1. Learned Counsel for the appellant states that the tax effect in the present Appeal is below the limit stipulated in terms of Circular No.17 of 2019, dated 8th August, 2019. It is stated that no instructions have been received from the Department to withdraw the present Appeal.

2. In the light of Circular No. 17 of 2019, the Appeal is disposed of as involving low tax effect.

3. However, we observe that in case, the Revenue finds for some reason that the Appeal was not supposed to have been withdrawn in the light of the Circular, dated 8th August 2019, it would be open to the Revenue to file an application/praecipe seeking restoration of the Appeal, to be decided on its own merits. Refund of Court-fees as per Rules.

[ABHAY AHUJA, J.]

[DHIRAJ SINGH THAKUR, J.]