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

INCOME TAX APPEAL NO. 1471 OF 2017

The Pr. Commissioner of Income Tax-2,
Pune ….Appellant

V/s.

Deepak Laxman Kudale …Respondent

Mr. Sham V. Walve for Appellant.
Mr. R.S. Padvekar a/w Mr. Tanzil Padvekar for Respondent.

CORAM : K.R. SHRIRAM &
N. J. JAMADAR, JJ.
DATED : 3rd MARCH, 2022

P.C. :

1. Mr. Padvekar tenders a copy of an order dated 17th September, 2018 giving effect to the order of the Income Tax Appellate Tribunal (ITAT). Paragraph no.6 of the order reads as under :

> *6. The assessee has requested vide the above mentioned submissions that the amount of Rs.9,90,20,875/- may now be included in his taxable income for the A.Y. 2014-15. In view of these facts and as per the directions of the ITAT discussed above, the amount of Rs.9,90,20,875/- being balance consideration on account of sale of land at Wagholi is being taxed in the hands of the assessee in the A.Y. 2014-15 as Long Term Capital Gains.*

2. In view of paragraph no.6 above, appeal does not survive.

3. Appeal disposed.

(N. J. JAMADAR, J.) **(K.R. SHRIRAM, J.)**

Purti Parab