

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

INCOME TAX APPEAL NO.3028 OF 2009

Commissioner of Income Tax-3, Mumbai

.. Appellant

Vs.

Emjay Overseas Pvt. Ltd., Mumbai

.. Respondent

Mr. Suresh Kumar for the Appellant.

Mr. Atul K. Jasani for the Respondent.

**CORAM : DHIRAJ SINGH THAKUR &
VALMIKI SA MENEZES, J.J.**

DATE : 10TH OCTOBER, 2022.

P.C. :

1. Since the tax effect in the present Appeal is less than Rs.1 crore, Mr. Suresh Kumar, learned counsel for the appellant seeks leave to withdraw this Appeal in terms of Circular No.17 of 2019 dated 8th August 2019.

2. Accordingly, Appeal is allowed to be withdrawn and dismissed as such. Refund of court fees, if any, as per rules.

[VALMIKI SA MENEZES, J.]

[DHIRAJ SINGH THAKUR, J.]