**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**ITA-217-2007 (O&M)
Date of Decision: 19.12.2022**

Commissioner of Income Tax, Chandigarh-II
...Appellant

Vs.

M/s Indian Acrylics Ltd.
...Respondent

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Yogesh Putney, Senior Standing Counsel for the appellant.

Mr. Shantanu Bansal, Advocate for the respondent.

TEJINDER SINGH DHINDSA, J. *(Oral)*

Learned Senior Standing Counsel appearing for the appellant-Revenue has referred to the communication dated 16.12.2022 from the office of Principal Commissioner of Income Tax (Central), Gurugram addressed to him and in terms of which withdrawal of the instant appeal filed under Section 260-A of Income Tax Act, 1961 is sought on account of the low tax effect.

In view of the above, appeal is dimissed as withdrawn.

It is, however, clarified that withdrawal of the appeal by the appellant-Revenue shall not be taken to be an affirmation of the order of the Tribunal on merits. However, the legal issues as claimed by the appellant-Revenue are being left open to be adjudicated in a proper case.

At this stage, learned senior standing counsel prays that liberty be also granted to the appellant-Revenue to file an application for the revival of the appeal, if something survives.

Liberty as prayed for, is granted.

Since the main appeal is dismissed as withdrawn, pending miscellaneous application(s), if any, shall also stand withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

19.12.2022
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No