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IN THE HIGH COURT AT CALCUTTA
SPECIAL JURISDICTION (INCOME TAX)
ORIGINAL SIDE

ITA/678/2008
COMMISSIONER OF INCOME TAX (CENTRAL-II), KOLKATA
-Versus-
M/S. BALARAMPUR CHINI MILLS LTD.

BEFORE :
THE HON'BLE JUSTICE T.S. SIVAGNANAM
And
THE HON'BLE JUSTICE HIRANMAY BHATTACHARYYA
Date : 7th February, 2023

<u>Appearance</u> :
Mr. Tilak Mitra, Adv.
...for appellant.

Mr. A.K. Dey, Adv.
...for respondent.

The Court : We have heard learned Counsel for the either side.

This appeal filed by the revenue under Section 260A of the Income Tax Act, 1961 challenging the order dated 18th January, 2008 passed by the Income Tax Appellate Tribunal, 'E' Bench, Kolkata in ITA No.2022/Kol/2007 for the assessment year 2004-05.

The appeal was admitted on 15th September 2008. Thereafter, the appeal was heard along with ITA No. 176 of 2009 and both the appeals were disposed of by judgment dated 2nd July 2015.

Mr. A.K. Dey, learned Counsel for the respondent/assessee submitted that as against the said judgment the respondent/assessee has preferred appeal before the Hon'ble Supreme Court and subsequently the assessee had availed benefit under the *Vivad Se Vishwas* Scheme. In the light of the fact, the appeal had already been disposed of by judgment dated 2nd July, 2015, no further order is required to be passed in this appeal.

(T.S. SIVAGNANAM, J.)

(HIRANMAY BHATTACHARYYA, J.)

S.Pal/GH