Prasad Rajput

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL NO. 323 OF 2024

Pr. Commissioner of Income Tax (Exemptions), Mumbai ...Appellant
Versus
Shree Raj Foundation ...Respondent

Mr. Dinesh Ramesh Gulabani for appellant.
Mr. Atul K. Jasani for Respondent.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.
DATE: 13 NOVEMBER, 2024.

P.C.

1. Mr. Dinesh Ramesh Gulabani, learned counsel for the appellant/revenue drawing the court's attention to paragraph no.12 of the memo of appeal, which refers to an amount of Rs. 1,85,13,415/- fairly states that this appeal would not require adjudication considering the tax effect as involved under the circular dated dated 17 September, 2024 issued by the central board of direct taxes. He would accordingly submit that the revenue be permitted to withdraw this appeal. Assessment year is 2009-2010.

2. Accordingly, allowed to be withdrawn for such reason.

3. In the event, the tax effect as involved is not within the parameters of the Circular dated 17 September, 2024, liberty to revive this appeal.

4. All questions of law are kept open.

5. Income Tax Appeal is disposed of. No costs.

6. Refund of Court Fees as per rules.

(ADVAIT M. SETHNA, J.) **(G. S. KULKARNI, J.)**