

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214-2

ITA-325-2013 (O&M)

Date of Decision: February 12, 2024

Commissioner of Income Tax, Rohtak

.....Appellant(s)

Vs.

Satya Parkash Aggarwal & Sons (HUF), Rohtak

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Ms.Gauri Neo Ramphal, Standing counsel
for the appellant.

Mr. Nitesh Bansal, Advocate for
Mr. Sandeep Goyal, Advocate for the respondent

SANJEEV PRAKASH SHARMA.J. (ORAL)

The instant appeal bearing ITA-325-2013 was dismissed as withdrawn vide order dated 18.07.2018, in view of the Circular No.03/2018 dated 11.07.2018, issued by the Central Board of Direct Taxes, New Delhi, as the tax effect involved was less than Rs.50 lacs. However, it appears that application for revival of the appeal was filed on the basis of some audit objections. This Court allowed the application for revival vide order dated 27.09.2019 and the main case was restored to its original number. Accordingly, the matter was listed for hearing after obtaining orders from Hon'ble the Chief Justice, as per roster.

2. Learned counsel for the appellant submits that although the tax effect involved is less than 50 lacs, however, audit raised objections and the revenue is before this Court.

3. We have considered the submission. Admittedly, tax effect involved is Rs.14,82,266/- and it does not come within the ambit of Rs.50 lacs or above.
4. Keeping in view, the provisions contained in Circular No.03/2018, dated 11th July 2018, issued by the Central Board of Direct Taxes, New Delhi, the instant appeal is dismissed.
5. All pending applications, if any, stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

February 12, 2024
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Whether speaking/reasoned:	Speaking
Whether reportable:	Yes / No