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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ITA-210-2016 (O&M)
Date of Decision:18.09.2024

PRINCIPAL COMMISSIONER OF INCOME TAX-1, LUDHIANA
........Appellant (s)

V/s.

M/S KUDU KNIT PROCESSOR PVT. LTD., LUDHIANA.
.........Respondent(s)

CORAM: ***HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA***
HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ranvijay Singh, Senior Standing Counsel,
for the appellant-Income Tax Department.

Mr. Akshay Bhan, Senior Advocate, assisted by
Mr. Shantanu Bansal, Advocate and
Mr. Yugank Goyal, Advocate for the respondent.

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SANJEEV PRAKASH SHARMA, J.(Oral)

1. Counsel for the appellant submits that in terms of the Circular issued by the Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes dated 17.09.2024 bearing No.9/2024, the enhancement of monetary limits for filing of the appeals by the department before the ITAT, High Court and SLPs before the Supreme Court have been amended and the Circular No.5/2024 has been amended and following steps have been taken with the purpose to manage litigations:

> *" 2. As a step towards management of litigation, it has been decided by the Board to revise the monetary limits for filing of appeals in Income-tax cases as stated in Para 4.1 of the aforementioned Circular as follows:*

Sr. No.	***Appeals/SLPs in Income-tax matters***	***Monetary Limit (Tax effect in Rs.)***
1.	*Before Income Tax Appellate Tribunal*	*60 lakh*
2.	*Before High Court*	*2 crore*
3.	*Before Supreme Court*	*5 crore*

3. Monetary limits given in paragraph 2 above with regard to filing appeal/SLP shall be applicable to all cases including those relating to TDS/TCS under the Income-tax Act, 1961 with exceptions as per paras 3.1 and 3.2 of Circular No 5/2024 dated 15.03.2024, where the decision to appeal/file SLP shall be taken on merits, without regard to the tax effect and the monetary limits."

2. The modifications have come into effect from the date of issuance of Circular i.e. 17.09.2024, and therefore shall apply to SLPs/appeals to be filed before the Supreme Court, High Court and Tribunal and also apply to the appeals pending before the Supreme Court, High Court and Tribunal, which may have been directed to be withdrawn.

3. Learned counsel relies on the circular and submits that there is no exception, as the case does not fall within the exception clause of Circular No.5/2024. Thus, he prays for withdrawal of the present appeal.

4. Accordingly, we allowed the prayer of counsel for the appellant, and the appeal stands dismissed as withdrawn.

5. All pending applications also stand dismissed as withdrawn accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SANJAY VASHISTH)
JUDGE

September 18, 2024
Ess Kay

1. Whether speaking/reasoned? ***Yes/No***
2. Whether reportable? ***Yes/No***