IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL(IT) NO. 872 OF 2025

Pr Commissioner Of Income Tax 1 Thane ...Appellant
Versus
Adhar Nagri Sahakari Patpedhi Maryadit
AY 2017-18 ...Respondent

Mr. Akhileshwar Sharma, a/w Ms. Shradha Worlikar for Appellant.

CORAM : M.S. Sonak &
Advait M. Sethna, JJ.
DATED : 6 November 2025

P.C.:-

1. Heard Mr. Suresh Kumar for the Appellant.

2. The tax effect in this Appeal is only Rs.1.78 Crores. The tax effect in this Appeal is only Rs.11,35,575/-. However, paragraph 11 of the appeal memo refers to the exception carved out in CBDT Circular No.3 of 2018 dated 11 July 2018 which had provided for pursuing the appeals, where assessments were carried out based on audit objections. This Appeal was filed in July 2022 when the CBDT circular of 11 July 2018 was in operation. However, CBDT Circular No.5 of 2024 dated 15 March 2024 makes no exception with regard to assessments carried out based upon audit objections. Therefore, whatever may have been the status of the Appeal at the time of its institution, now, this Appeal would be governed by the CBDT Circular No.5 of 2024 dated 15 March 2024 which provides for not pursuing Appeals where the tax effect is less than Rs.2 Crores. This circular applies to pending Appeals.

3. Accordingly, we dispose of this Appeal on the ground of low tax appeal by keeping open the questions of law raised therein.

4. Pending Interim Application does not survive and is also disposed of.

(Advait M. Sethna, J) **(M.S. Sonak, J.)**