Principal Commissioner of Income Tax v. Valley Extraction Pvt. Ltd.

Income Tax Appeal No.60 of 2016

Supplied court judgment; no neutral citation stated | 2018-08-27

Revenue appeal withdrawn in view of CBDT Circular 3/2018; no underlying tax-merits determination.

Division Bench | Sanjay Karol | Ajay Mohan Goel

01 FACTS OF THE CASE

Revenue's counsel sought permission to withdraw ITA 60/2016 in view of CBDT Circular 3/2018. The one-page order does not reproduce the circular or identify the underlying assessment dispute.

Source: PDF p.1

02 DISCUSSION BY THE HON'BLE COURT

Permission to withdraw was granted on the request made. No substantive income-tax reasoning or quantified tax-effect finding appears.

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03 JUDICIAL DECISION

The proceeding was disposed of as withdrawn, together with pending applications, if any.

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04 OUTCOME / IN WHOSE FAVOUR

Revenue's appeal ended by withdrawal. The order does not establish a reasoned High Court approval of the underlying Tribunal or assessment decision.

Source: PDF p.1

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05 EXPERT COMMENTS

The recorded circular reference is the limit of the policy finding — The Court records counsel's request in view of Circular 3/2018 and grants permission. It does not quote a monetary threshold, compute tax effect or examine exceptions in the text supplied. Those additional matters cannot be presented as express findings in this case. The circular reference is historical; this note does not represent the source as a statement of the policy currently applicable to another appeal. (Source: PDF p.1).

Withdrawal does not determine the underlying assessment controversy — No assessment year, statutory section, disputed amount or challenged Tribunal reasoning is supplied. Accordingly, withdrawal cannot be converted into a substantive holding allowing a particular deduction or deleting an identified addition. The practical result is termination of this Revenue appeal on its recorded request, with pending applications disposed of. Any account of the underlying tax result would require the orders in that assessment and appellate chain. (Source: PDF p.1).

Preserve the identified appeal despite an operative drafting variation — The heading identifies ITA 60/2016 and counsel asks to withdraw the appeal, while the operative paragraph uses the word petition. The note retains the identified Income Tax Appeal and accurately reports its withdrawal rather than inventing a second writ proceeding. The date, parties, docket and complete original are the identity anchors; similar circular-based disposal language elsewhere does not establish duplication. (Source: PDF p.1).

No express restoration or future-litigation permission is recorded — The short order does not reserve liberty to revive the appeal, describe a later exception inquiry or continue interim protection. Such directions should not be inserted merely because some other monetary-policy disposal orders contain them. Equally, this source does not resolve what remedies might independently be available under law. Later proceedings, compliance and present precedential treatment have not been verified for this note. (Source: PDF p.1).

Source: PDF pp.1–1

SOURCE & VERIFICATION

Original court judgment / order

Full original read; every original page visually inspected.

STATUTORY SCOPE

Provisions and historical figures are recorded only as addressed in this judgment. No current statutory position or subsequent-treatment clearance is represented.

LATER TREATMENT

Appeal, review, recall and stay status has not been independently confirmed.

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