Pr. Commissioner of Income Tax v. H.P. Power Corporation Ltd.

ITA 98/2018

No neutral citation stated in source | 2024-10-23

Revenue appeal withdrawn in view of CBDT Circular 5/2024.

High Court of Himachal Pradesh | Division Bench | Tarlok Singh Chauhan | Satyen Vaidya

Assessment years: Not specified in source

01 FACTS OF THE CASE

In ITA 98/2018 against H.P. Power Corporation Ltd., Revenue counsel stated that he had instructions to withdraw the appeal in view of CBDT Circular 5/2024 dated 15 March 2024. The source identifies no assessment year, disputed addition or tax-effect amount.

Source: PDF p.1

02 DISCUSSION BY THE HON'BLE COURT

The Court took counsel's statement on record. It did not discuss the appeal grounds, calculate tax effect or determine a substantive tax question.

Source: PDF p.1

03 JUDICIAL DECISION

The appeal was disposed of as withdrawn.

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04 OUTCOME / IN WHOSE FAVOUR

Revenue's challenge in ITA 98/2018 ended on withdrawal. This order is not an independent merits endorsement of the respondent's tax position.

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05 EXPERT COMMENTS

AKHB EXPERT COMMENTS — editorial analysis, distinct from the Court's findings.

The recorded circular explains the withdrawal — The source connects counsel's instructions to Circular 5/2024, but gives neither the numerical threshold nor the actual tax effect. It establishes the procedural result in this appeal, not a reusable tax-effect computation or an examination of exceptions under the circular.

The merits remain outside this decision — No reasoning on an addition, deduction or exemption appears. For substantive advice, the lower decision and grounds of appeal would be needed. The absence of a merits ruling should remain clear even though Revenue has ended its challenge.

Preserve the circular actually printed in this docket — This source cites Circular 5/2024 dated 15 March 2024. Other appeals decided that day refer to Circular 9/2024, but their wording is not evidence of a correction in ITA 98/2018. The note preserves this source reference and does not silently import another docket's correction.

Source: PDF p.1

SOURCE & VERIFICATION

Himachal Pradesh High Court original order - verified repository copy

Complete source PDF reviewed: 1 physical pages.

All 1 original pages read and visually inspected; all five panels audited.

Open cited source rendition

Complete one-page original read and visually inspected; no merits finding is supplied by this procedural order.

STATUTORY SCOPE

No assessment year, tax-effect figure or numbered Income-tax Act provision is stated.

LATER TREATMENT

Source checked 2026-10-21. Subsequent treatment has not been independently verified.

AI DISCLOSURE

AI-assisted research checked against the identified source. Extraction, interpretation or omission errors remain possible. Source review does not mean independent approval by a practising professional. Verify every material statement against the complete original judgment.

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