Principal Commissioner of Income Tax-2, Hyderabad v. HBL Power Systems Ltd.

I.T.T.A. No. 34/2022

I.T.T.A. No. 34/2022 (High Court for the State of Telangana, 2024-11-05) | 2024-11-05

Revenue appeal dismissed as withdrawn under the circular cited by counsel.

Income-tax Act,1961: sections 260A

High Court for the State of Telangana | Division Bench | Alok Aradhe | J. Sreenivas Rao

Assessment years: 2012-13

01 FACTS OF THE CASE

Revenue's ITTA 34/2022 against HBL Power Systems Ltd challenged the Tribunal's 23 April 2021 order in ITA 189/Hyd/2017 for AY 2012-13.

Source: PDF p.1, prayer

02 DISCUSSION BY THE HON'BLE COURT

Revenue counsel sought leave to withdraw in view of CBDT Circular 9/2024 dated 17 September 2024. The Court recorded that request without setting out the disputed tax question.

Source: PDF p.2, order

03 JUDICIAL DECISION

The appeal was dismissed as withdrawn on 5 November 2024.

Source: PDF p.2, operative paragraph

04 OUTCOME / IN WHOSE FAVOUR

No costs were awarded and pending miscellaneous applications, if any, were closed. The operative order does not expressly reserve restoration or decide any substantive tax issue.

Source: PDF p.2, operative paragraph

05 EXPERT COMMENTS

AKHB Expert Comments — editorial analysis, distinct from the Court's findings.

The Tribunal result is undisturbed, not endorsed on merits: Withdrawal ends this High Court challenge without an examination of the Tribunal's reasoning. The identified Tribunal order remains the relevant source for the underlying issue; the withdrawal order cannot be cited as independent approval of that reasoning. (PDF pp.1–2, prayer and order)

Do not import reservations from neighbouring orders: This order does not contain the exception-based revival liberty found in some other Revenue withdrawal orders. That omission matters when describing what the Court actually granted; no restoration entitlement can be attributed to this text. (PDF p.2, operative paragraph)

The recorded circular reference is narrower than a quantified finding: Although counsel invoked Circular 9/2024, the order does not state a tax-effect figure or calculate a threshold. The source supports the stated reason for withdrawal, not a new factual conclusion about the exact disputed tax or the circular's application in another case. (PDF p.2, order)

Source: PDF pp.1–2, prayer and order

SOURCE & VERIFICATION

Original High Court judgment PDF — AKHB source repository

Complete 3-page original reviewed; source bytes verified.

Full original and all five panels re-reviewed on 21 October 2026.

Open cited source rendition

Complete original source and all five note panels checked; original docket identities preserved.

STATUTORY SCOPE

Current law and subsequent treatment not independently verified.

LATER TREATMENT

Source checked 2026-10-21. Subsequent proceedings and current judicial treatment have 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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