IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY ,THE TWENTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SUJOY PAUL
AND
THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

INCOME TAX TRIBUNAL APPEAL NO: 15 OF 2024

Appeal filed under Section 260A of the Income Tax Act, 1961 against the Order dated 30.08.2023 passed in M.A.No. 13/Hyd/2020 for the Assessment year 2007-08 on the file of the Income Tax Appellate Tribunal, Hyderabad Benches "B", Hyderabad preferred against the order dated 27.11.2012 passed in ITA No. 0376/DC-16(3)/Cit(A)-V2011-12 on the file of the Commissioner of Income Tax (Appeals)-V, Hyderabad preferred against the Order dated 07.12.2011 passed in PAN/GIR No. AACCP5283H on the file of the Assistant Commissioner of Income Tax Circle 16(3), Hyderabad.

Between:

Principal Commissioner of Income Tax-4, Hyderabad.

AND **...Appellant(**

M/s. Pragati Green Meadows and Resorts Pvt. Ltd, 271/A, Road No.10, Banjara Hills, Hyderabad Telangana

...Respondent

Counsel for the Appellant : Sri J.V. Prasad, Sr. SC for Income Tax

Counsel for the Respondent : None appeared

The Court delivered the following: JUDGMENT

THE HONOURABLE SRI JUSTICE SUJOY PAUL

AND

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

ITTA.No.15 of 2024

JUDGMENT *(per Hon'ble SP,J)*

Sri J.V.Prasad, learned Senior Standing Counsel for Income Tax Department, for the appellant, would submit that, in terms of Central Board of Direct Taxes (CBDT) Circular No.9 of 2024, dated 17.09.2024, all appeals, where the tax effect is below Rs.2,00,00,000/- are required to be withdrawn and, as the value of the present appeal is less than Rs.2,00,00,000/-, the appellant may be permitted to withdraw the appeal. Learned Senior Standing Counsel would further submit that liberty may be granted, in case it were to be found later that the subject matter of the appeal falls within the exceptions mentioned in the aforesaid Circular, to file an application for restoration of the appeal.

2. Granting liberty as sought for, the appeal is **dismissed as withdrawn**. The question of law involved in this appeal will remain open. No costs.

Interlocutory applications, if any pending, shall also stand closed.

Sd/- M. RAMANA KRISHNA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Income Tax Appellate Tribunal, Hyderabad Benches "B", Hyderabad.
2. The Commissioner of Income Tax (Appeals)-V, Hyderabad.
3. The Assistant Commissioner of Income Tax Circle 16(3), Hyderabad.
4. One CC to Sri J.V. Prasad, Sr. SC for Income Tax, Advocate [OPUC]
5. Two CD Copies

Njh/gh

HIGH COURT

DATED:21/10/2024



JUDGMENT

ITTA.No.15 of 2024

DISMISSING THE ITTA
AS WITHDRAWN

7 copies
fr
5/12/24