

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4703 OF 2014

THE COMMISSIONER OF INCOME TAX- DELHI III

Appellant(s)

VERSUS

MOSER BAER INDIA LTD.

Respondent(s)

O R D E R

Learned counsel for the appellant, on instructions, in terms of Circular dated 22.08.2019 bearing No. F. No.390/Misc./116/2017-JC issued by the Department of Revenue, Ministry of Finance, seeks permission to withdraw this appeal along with pending applications therein due to low tax effect.

Permission granted, subject to just exceptions.

The appeal and pending applications are dismissed as withdrawn, leaving question of law open.

.....J
(A.M. KHANWILKAR)

.....J
(DINESH MAHESHWARI)

New Delhi
October 23, 2019

ITEM NO.102

COURT NO.8

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4703/2014

THE COMMISSIONER OF INCOME TAX

Appellant(s)

VERSUS

MOSER BAER INDIA LTD.

Respondent(s)

([AT TOP]

IA No. 2/2009 - PERMISSION TO FILE ANNEXURES)

WITH

C.A. No. 4705/2014 (XIV-A)

C.A. No. 4704/2014 (XIV-A)

Date : 23-10-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Appellant(s)

Mrs. Pinky Anand, ASG
Mr. K. Radhakrishnan, Sr. adv.
Mr. Dhruv Agarwal, Sr. Adv.
Mr. H. Raghavendra Rao, Adv.
Mrs. Anil Katiyar, AOR

For Respondent(s)

Ms. Kavita Jha, AOR
Mr. Vaibhav Kulkarni, Adv.
Mr. Udit Naresh, Adv.UPON hearing the counsel the Court made the following
O R D E RC.A. No. 4703/2014

The appeal and pending applications are dismissed as withdrawn, leaving question of law open in terms of the signed order.

C.A. No. 4705/2014 & C.A. No. 4704/2014

Learned counsel for the respondent submits that liquidation proceedings qua respondent are pending before the High Court in which Official Liquidator has been appointed.

Hence, issue notice to the Official Liquidator, returnable within six weeks.

Dasti, in addition, is permitted.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

[Signed order is placed on the file]