



\$~ Suppl.5

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ ITA 732/2017

PR. COMMISSIONER OF INCOME TAX-3,  
NEW DELHI

..... Appellant

Through: Mr. Ruchir Bhatia, Advocate.

versus

DKG FINANCE & CHIT FUND PVT. LTD. .... Respondent

Through: Ms. Prem Lata Bansal, Sr. Advocate  
with Mr. Divyanshu Agrawal and Mr.  
Shivang Bansal, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

% **24.12.2020**

**CM APPL.34632/2020**

The application has been listed by the Registry in view of the urgency expressed therein. The same has been heard by way of video conferencing.

Present application has been filed by the respondent/assessee seeking dismissal of the present appeal on the ground that the tax effect in the present appeal is lower than the threshold limit of Rs. 1,00,00,000/- prescribed in Circular No. 17/2019 dated 08<sup>th</sup> August, 2019 issued by the Central Board of Direct Taxes.

Learned senior counsel for the respondent/assessee states that there is an urgency in the matter, as in the event, the present appeal is not dismissed, the respondent/assessee would like to avail the benefit of Amnesty Scheme



being Vivad Se Vishwas.

Learned senior counsel for the respondent/assessee refers to the computation sheet to contend that that tax component in the present appeal is Rs. 91,75,148/-. She states that the interest component in the present appeal is Rs. 96,33,905/- and Rs. 2,29,377/- totalling to Rs. 1,90,38,430/-.

She also points out that in accordance with the Circular No. 3/2018 dated 11<sup>th</sup> July, 2018, while computing the tax effect, the tax will not include any interest thereon except where chargeability of interest itself is in dispute.

Issue notice.

Mr. Ruchir Bhatia, learned counsel accepts notice for Revenue. He fairly states that in view of the computation sheet dated 30<sup>th</sup> December, 2016, the tax effect in the present appeal is lower than the threshold limit of Rs. 1,00,00,000/-.

Keeping in view the aforesaid as well as the Circular No. 17/2019 dated 08<sup>th</sup> August, 2019 issued by the Central Board of Direct Taxes, the present appeal is dismissed as withdrawn.

The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

  
SANJEEV NARULA, J

**DECEMBER 24, 2020**  
**AS**