

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

INCOME TAX TRIBUNAL APPEAL No: 32 of 2012

Income Tax Tribunal Appeal Under Section 260 A of the Income Tax Act 1961 against the order dated 08-09-2009 on the file of the Income Tax Appellate Tribunal, Hyderabad Bench 'B', Hyderabad in I.T.A.No.399/Hyd/2008 for Assessment Year 2004-2005 preferred against the Order dated 15-01-2008 on the file of the Commissioner of Income Tax (Appeals)-IV, Hyderabad in Appeal No. 298/ITO.W.6(3)/CIT(A)-IV/06-07 preferred against the Order dated 28-12-2006 passed in PAN / GIR No. AAA 3718 F/B-349 on the file of the Income Tax Officer, Ward-6(3), Hyderabad.

Between:

The Commissioner of Income Tax-III, I.T.Towers, A.C.Guards, Masab Tank, Hyderabad.

...Appellant

AND

BGS-SGS-Soma Joint Venture, 8-2-623/5/1, 14, Avenue 4, Banjara Hills, Hyderabad.

...Respondent

**Counsel for the Appellant: Ms. B. Sapna Reddy, Standing Counsel
representing Mr. J.V. Prasad, Standing Counsel for Income Tax Department**

Counsel for the Respondent: Sri R. Raghunandan

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

INCOME TAX TRIBUNAL APPEAL No.32 of 2012

JUDGMENT: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Ms. B.Sapna Reddy, learned Junior Standing Counsel representing Mr. J.V.Prasad, learned Senior Standing Counsel for Income Tax Department for the appellant.

2. Learned counsel for the appellant seeks leave of this Court to withdraw the appeal in the light of the Circular No.09/2024, dated 17.09.2024, with the liberty to revive the same in case the subject matter of the appeal falls in any of the exceptions provided in the Circular No.5/2024 dated 15.03.2024.

3. Accordingly, the appeal is dismissed as withdrawn in terms of the liberty as prayed for.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

Sd/- K. SRINIVASA RAO
JOINT REGISTRAR

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SECTION OFFICER

To,

1. The Income Tax Appellate Tribunal, Hyderabad Bench 'B', Hyderabad.
2. The Commissioner of Income Tax (Appeals)-IV, Hyderabad.
3. The Income Tax Officer, Ward-6(3), Hyderabad.
4. One CC to Mr. J.V. Prasad, Standing Counsel for Income Tax Department [OPUC]
5. One CC to Sri R. Raghunandan, Advocate [OPUC]
6. Two CD Copies

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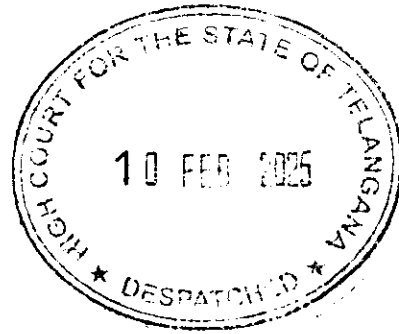


HIGH COURT

DATED:06/01/2025

JUDGMENT

ITTA.No.32 of 2012



**THE APPEAL IS
DISMISSED AS
WITHDRAWN**

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