

3. Ld. CIT(DR) at the outset submitted that, prima facie, the tax effect involved in the captioned appeals is less than Rs. 10 lakhs. Therefore, in terms of CBDT Circular No. 21/2015 dated 10.12.2015, stipulating that the departmental appeal, involving tax effect below Rs.10 lakhs, shall not be filed before the ITAT and further that such instruction would apply retrospectively and the pending appeals below the specified tax limit of Rs.10 lakh may be withdrawn/not pressed, the department may be allowed to withdraw the appeals, provided that it should not be considered as a precedent in the subsequent years of the acceptance of issues involved in these appeal and, therefore, if in the subsequent year similar issue arises before the ITAT, where the appeal is above the tax limit, as prescribed in the Board's Circular, the same should be decided on merits.

4. After hearing the ld. CIT(DR), the departmental appeals are allowed to be withdrawn in terms of Board's Circular, referred to above.

6. In the result, revenue's appeals stand dismissed, having been withdrawn.

Order pronouncement in open court on 16/02/2016.

Sd/-
(SUDHANSHU SRIVASTAVA)
JUDICIAL MEMBER

Dated: 16/02/2016.

MP

Copy of order to:

1. Assessee
2. AO
3. CIT
4. CIT(A)
5. DR, ITAT, New Delhi.

Sd/-
(S.V. MEHROTRA)
ACCOUNTANT MEMBER