



2025:CGHC:39071-DB



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HIGH COURT OF CHHATTISGARH AT BILASPUR

TAXC No. 32 of 2016

1 - Assistant Commissioner Of Income Tax - 1 2 , Raipur, Chhattisgarh, Chhattisgarh

... Petitioner(s)

versus

1 - M/s Vandana Ispat Ltd. Vandana Building, M.G. Road, Raipur, Chhattisgarh, Chhattisgarh

... Respondent(s)

For Appellant	:	Mr. Amit Chaudhari and Ajay Kumrani, Advocate
For Respondent(s)	:	Mr. S. Rajeshwara Rao, Advocate

Hon'ble Shri Sanjay K. Agrawal and
Hon'ble Shri Sachin Singh Rajput, JJ

Judgment on Board

06/08/2025

Sanjay K. Agrawal, J.

1. When the case is taken for hearing, learned counsel for the Appellant submits that the Government of India, Ministry of Finance has issued a new circular dated 17.09.2024 in which, monetary limits for filing Income Tax Appeals by the Department before the High Court has been enhanced to Rs.2 crores whereas, in the present case, the tax liability of the assess is less than Rs.2 Crores, therefore, in the light of



the aforesaid circular dated 17.09.2024, the present Appeal may be disposed of finally.

2. The said prayer appears to be fair and reasonable.
3. For ready reference, relevant paragraphs of the circular dated 17.09.2024 are quoted below:-

“1. Reference is invited to Circular No 5/2024 (F.No.279/Misc.142/2007-ITJ(Pt) dated 15.03.2024 of Central Board of Direct Taxes (the 'Board') vide which monetary limits for filing of income tax Appeals by the Department before Income Tax Appellate Tribunal, High Courts and SLP/Appeals before Supreme Court have been specified. Further, exceptions to the monetary limits were also specified vide paras 3.1 and 3.2 of the said Circular.

2. As a step towards management of litigation, it has been decided by the Board to revise the monetary limits for filing of Appeals in Income-tax cases as stated in Para 4.1 of the aforementioned Circular as follows:-

S.No.	Appeals/SLPs in income-tax matters	Monetary Limit (Tax effect in Rs.)
1.	Before Income Tax Appellate Tribunal	60 lacs
2.	Before High Court	2 crores
3.	Before Supreme Court	5 crores

3. Monetary limits given in paragraph-2 above with regard to filing Appeal/SLP shall be applicable to all cases including those relating to TDS/TCS under the Income-Tax Act, 1961 with exceptions as per paras 3.1 and 3.2 of Circular No 5/2024 dated 15.03.2024, where the decision to Appeal/file SLP shall be taken on merits, without regard to the tax effect and the monetary limits.



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4. It is clarified that an Appeal should not be filed merely because the tax effect in a case exceeds the monetary limits prescribed above. Filing of Appeal in such cases is to be decided on merits of the case. The officers concerned shall keep in mind the overall objective of reducing unnecessary litigation and providing certainty to taxpayers on their Income-tax assessments while taking a decision regarding filing an Appeal.

5. The modifications shall come into effect from the date of issue of this Circular. This Circular will apply to SLPs/Appeals to be filed henceforth in SC/HCs/Tribunal. It shall also apply to the SLPs/ Appeals pending before Supreme Courts/High Courts/Tribunal, which may accordingly be withdrawn.

6. The above may be brought to the notice of all concerned.

7. This issues under section 268A of the Income-tax Act, 1961.

8. Hindi version will follow.”

4. In view of the aforesaid submissions of learned counsel for the Appellant where monetary limit (tax liability) in the present case is less than Rs.2 Crores and in the light of aforesaid circular (Para-5) dated 17.09.2024, the instant Tax Case stands **disposed of**.

Sd/-
(Sanjay K. Agrawal)
Judge

Sd/-
(Sachin Singh Rajput)
Judge

Pawan