

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL(IT) NO. 2730 OF 2018

Commissioner Of Income Tax-ltu

...Appellant

Versus

Cmi Fpe Limited

...Respondent

Mr Suresh Kumar, for the Appellant.

Mr Jas Sanghavi, for the Respondent.

CORAM: SUMAN SHYAM &
ADVAIT M. SETHNA, JJ.

DATED: 11th JUNE 2026.

PC:-

1. Heard Mr. Suresh Kumar, learned counsel for the Appellant and Mr. Jas Sanghavi, learned counsel for the Respondent.

2. Mr. Sanghavi, learned counsel for the Respondent submits that during the pendency of this Appeal, the matter having been remanded by the learned Tribunal to the Assessing Officer, the Assessing Officer has already considered the matter on merit and decision has been rendered in favour of the Assessee. Therefore, this Appeal has become infructuous.

3. In support of his above submission, Mr. Sanghavi has tendered the order dated 28th June 2019 issued by the Assessing Officer. The same is taken on record and marked 'X' for identification.

4. Mr. Suresh Kumar seeks two weeks' time to seek instructions on the possibility of withdrawal of the Appeal as infructuous.
5. Stand over to **25th June 2026**.

(ADVAIT M. SETHNA, J.)

(SUMAN SHYAM, J.)