

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE S.V.BHATTI

&

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 29TH DAY OF JANUARY 2021 / 9TH MAGHA, 1942

ITA.No.186 OF 2019

AGAINST THE ORDER IN ITA 533/Coch/2017 OF  
I.T.A. TRIBUNAL, COCHIN BENCH

APPELLANT/RESPONDENT/RESPONDENT/REVENUE:

THE PRINCIPAL COMMISSIONER OF INCOME TAX  
KOZHIKODE.

BY ADVS.

SRI. CHRISTOPHER ABRAHAM, SR. STANDING COUNSEL,  
INCOME TAX DEPARTMENT  
SRI. K. M. V. PANDALAI, INCOME TAX DEPARTMENT

RESPONDENT/APPELLANT/APPELLANT/ASSESSEE:

M/S THE CHORODE SERVICE CO-OPERATIVE BANK  
LIMITED  
CHORODE, VADAKARA,  
KOZHIKODE.

R1 BY ADV. SRI. P. RAGHUNATH

R1 BY ADV. SRI. PREMJIT NAGENDRAN

THIS INCOME TAX APPEAL HAVING BEEN FINALLY HEARD ON  
29.01.2021, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**JUDGMENT**

Dated this the 29<sup>th</sup> day of January, 2021

**S.V.Bhatti, J.**

Memo dated 14.01.2021 filed by Sri.Christopher Abraham, learned Senior Standing Counsel, Income Tax Department to withdraw the appeal is ordered. The appeal is accordingly dismissed as withdrawn.

Sri.Christopher Abraham draws our attention to the judgment of this Court in I.T.A. No.74 of 2016 dated 11.11.2019 and states that refund of proportionate court fee, taking into consideration the memo filed to withdraw the appeal etc., has been granted.

Refund of proportionate court fee is ordered. Hence the Registry makes refund of court fee to the extent admissible in law.

Sd/-

**S.V.BHATTI**  
**JUDGE**

Sd/-

**BECHU KURIAN THOMAS**  
**JUDGE**

vps

## **APPENDIX**

### **PETITIONER'S/S EXHIBITS:**

<b>ANNEXURE A</b>	TRUE COPY OF THE ASSESSMENT ORDER DATED 04.12.2015.
<b>ANNEXURE B</b>	TRUE COPY OF THE APPELLATE ORDER DATED 16.06.2017 PASSED BY THE COMMISSIONER OF INCOME-TAX (APPEALS) .
<b>ANNEXURE C</b>	TRUE COPY OF THE ORDER DATED 20.06.2018 PASSED BY THE INCOME TAX APPELLATE TRIBUNAL.