IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.1.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND
THE HONOURABLE MRS.JUSTICE S.VIMALA

Tax Case Appeal No.436 of 2015

Commissioner of Income Tax
Chennai. .. Appellant/ Appellant

Versus

M/s.Savorit Limited,
New No.22, North Terminus Road,
Tollgate, Chennai 600 081. .. Respondent/ Respondent

Prayer: Appeal presented to the High Court against the order of the Income Tax Appellate Tribunal Madras `C' Bench, dated 20.1.2015, in I.T.A.No.2487/Mds/2014 against the Commissioner of Income Tax (Appeals) VI, order dated 20.6.2014 in ITA.No.1695/13-14 A-VI against the Assessment order A.Y.2011-2012 the Dy Commissioner of Income Tax, Company Circle VI (1) order dated 31.1.2014 in GIR.No.AAACS9903R.

For Appellant : Mr.T.Ravikumar
Mr.T.R.Senthil Kumar
Mr.J.Narayanaswamy
Mr.M.Swaminathan

For Respondent : Mr.S.Sridhar

O R D E R

The learned counsels appearing for the Appellant/Revenue had submitted that they may be permitted by this Court to withdraw the present tax case appeal, in view of the Circular No.21 of 2015, issued by the Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, Government of India, dated 10.12.2015, as the tax effect relating to the matter is less than Rs.20,00,000/-.

2. The learned counsels had further submitted that liberty may be granted to the Appellant/Revenue to revive the tax case appeal, if it is found that it had been withdrawn, inadvertently, even though it falls under the exceptions mentioned in paragraph 8 of the circular.

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3. In view of the said submissions made by the learned counsels appearing for the Appellant/Revenue, the present tax case appeal stands dismissed, as withdrawn. It is made clear that the questions of law, which may arise for the decision of this Court, in the present tax case appeal, are left open to be considered and decided in appropriate cases, in accordance with law. It is also made clear that it would be open to the Appellant/Revenue to revive the tax case appeal, if it is found that it had been withdrawn, inadvertently, even though it falls under the exceptions mentioned in paragraph 8 of the Circular, within a period of twelve weeks from today. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ssk.

To:

1. The Income Tax Appellate Tribunal
Madras `C' Bench.

2. The Commissioner of Income Tax (Appeals) VI
No.121, Mahatama Gandhi Road
Chennai-34

3. The Deputy Commissioner of Income Tax
Company Circle VI (1)
7th Floor New Block
121 Mahatma Gandhi Road
Chennai-34

सत्यमेव जयते

1 cc to Mr.T. Ramkumar, Advocate, Sr. 6041
1 cc to Mr. Sridhar, Advocatre, sR. 5972

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