IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.1.2016

CORAM

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

Tax Case Appeal Nos.925 & 926 of 2013

The Commissioner of Income Tax
Chennai .. Appellant in both the appeals

Versus

M/s.Aban Offshore Limited
Janpriya Crest, 113, Pantheon Road,
Egmore,
Chennai-600 008 .. Respondent in both the appeals

Prayer: Appeals presented under Section 260 A of the Income Tax Act 1961 to the High Court against the order of the Income Tax Appellate Tribunal Madras `D' Bench, dated 24.2.2012, in I.T.A.Nos.545/Mds/2011 and 546/Mds/2011. and against the order of the Commissioner of Income Tax, (Appeal) III, Chennai dated 20.12.2010 and in PAN AACCA3012H in respect of the Assessment years 2006-2007 , 2007-08 and against the order of the Deputy / Assistant Commissioner of Income Tax, Company Circle I(1) Chennai dated 10.12.2009 & 30.12.2008 respectively in PA/GIR.No.AAACA3012H/ AX2-017 (in TR(A) 925/13 & TC (AO) 926/13.

For Appellant : Mr.T.Ravikumar
Mr.T.R. Senthilkumar
Mr.J. Narayanasamy &
Mr.M. Swamkinahtan

For Respondent : Mr.R.Venkataraman for
Mr.Subbaraya Aiyyar

COMMON JUDGMENT

The learned counsels appearing for the Appellant/Revenue had submitted that they may be permitted by this Court to withdraw the present tax case appeals, 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may be granted to the Appellant/Revenue to revive the tax case appeals, if it is found that the appeals had been withdrawn, inadvertently, even though they fall under the exceptions mentioned in paragraph 8 of the circular.

3. In view of the said submissions made by the learned counsels appearing for the Appellant/Revenue, the present tax case appeals stand dismissed, as withdrawn.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 appeals, 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clear that it would be open to the Appellant/Revenue to revive the tax case appeals, if it is found that they had been withdrawn, inadvertently, even though they fall under the exceptions mentioned in paragraph 8 of the Circular, within a period of twelve weeks from today. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

usk/msk

To:

1. The Registrar
Income Tax Appellate Tribunal
Madras `D' Bench.

2. The Commissioner of Income Tax Officer
(Appeal III) Chennai

3. The Deputy Assistant Commissioner of Income Tax
Company Circle I(1) Chennai

1 cc to Mr.T. Ravikumar, Advocate, Sr. 4118
1 cc to M/s. Subbaraya Aiyar, Padmanabhan, Advocate, sr. 3917

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KK (CO)
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