In the High Court of Judicature at Madras

Dated : 29.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No. 1147 of 2007

The Commissioner of Income Tax,
Chennai

...Appellant

Vs

M/s.Somayajulu & Company Ltd.,
C/o. M/s.C.Ramasamy & B.Srinivasan,
Chartered Accountants, Flat No. 4,
II Floor, 102-A, Rangarajapuram Main Road,
Kodambakkam, Chennai – 24.

...Respondent

Appeal under Section 260A of the Income Tax Act, 1961 is directed against the order dated 22.12.2006 in ITA No.1790/Mds/1999 on the file of the Income Tax Appellate Tribunal Madras 'C' Bench for the assessment year 1996-97.

For Appellant : Mr.T.R.Senthilkumar and
Ms.K.G.Usharani
For Respondent : No appearance

JUDGMENT
(Judgment was delivered by T.S.SIVAGNANAM,J)

Heard the learned counsel for the appellant.

T.S.SIVAGNANAM,J
AND
V.BHAVANI SUBBAROYAN,J

mrm

2. This appeal by the Revenue is challenged against the order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw this appeal on account of low tax effect in terms of Circular No.3 of 2018 dated 11.7.2018 issued by the Central Board of Direct Taxes.

4. In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open. In the event, the tax effect is above the threshold limit fixed in the said circular, liberty is granted to the Revenue to make a mention to this Court to restore the appeals to be heard and decided on merits.

(T.S.S.J.) (V.B.S.J.)
29.10.2018

Speaking (or) Non Speaking Order
Index : Yes (or) No
Internet : Yes (or) No

To
The Income Tax Appellate Tribunal, Madras 'D' Bench.

TCA No. 1147 of 2007