

In the High Court of Judicature at Madras

Dated : 08.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.1307 of 2009

Commissioner of Income Tax-III,
Chennai

...Appellant/Respondent

Vs

M/s.Faively Transport India Ltd.,
Hosur

...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 02.7.2009 in ITA No.1661/Mds/2007 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2003-04, and against the Appeal dated 28/02/07 in ITA.NO.173/06-07 on the file of the Commissioner of Income Tax(Appeals)-XII Chennai and against the Appeal dated 22/03/2006 in PAN/GIR.NO.AACGS 8525B on the file the Deputy Commissioner of Income Tax Company Circle-II(1), Chennai-34.

For Appellant : Mr.Karthik Ranganathan

For Respondent: Mr.R.Venkata Narayanan for
M/s.Subbaroya Aiyer Padmanabhan

Judgment was delivered by T.S.SIVAGNANAM, J

Heard the learned counsel for the appellant.

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

3. The Revenue seeks to withdraw the 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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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 appeal to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal, Chennai 'A' Bench.
- 2.The Commissioner of Income Tax,
(Appeals) XII, Chennai-34.
- 3.The Deputy Commissioner of Income Tax,
Company Circle II(1)
Chennai-34.
- 4.The Section Officer,
VR Section,
High Court, Madras.-104.(copies)
- 5.The Commissioner of Income Tax III,
Chennai.
- 6.The Assistant Registrar
Income Tax Appellate Tribunal,
3rd Floor, Besant Nagar,
Rajaji Bhavan, Chennai.

+1cc to M/s.Subbaroya Aiyer Padmanabhan, Advocate sr.no.69505

TCA.No.1307 of 2009

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