In the High Court of Judicature at Madras

Dated : 23.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.742 of 2009

The Commissioner of Income Tax,
Coimbatore ...Appellant

Vs

M/s.Tata Trade & Finance Pvt. Ltd.,
Coimbatore-15 ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 17.9.2008 in ITA No.2246/Mds/2006 on the file of the Income Tax Appellate Tribunal Chennai 'D' Bench for the assessment year 2004-05 preferred against the order dated 5.9.2006 made in Appeal No.400/05-06 filed against the Assessment order dated 30.1.06 on the file of the Income Tax Officer, Company ward I Coimbatore for the Assessment Year 2004-2005.

For Appellant :Mr.T.R.Senthilkumar & Ms.K.G.Usharani

For Respondent:Mr.R.Venkatanayarayan for
M/s.Subbaraya 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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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 appeal to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To
1.The Assistant Registrar
Income Tax Appellate Tribunal, Chennai 'D' Bench.
2.The Commissioner of Income Tax,
(Appeals) I, Coimbatore
3.The Income Tax Officer,
Company Ward I, Coimbatore

+1cc to M/s.T.R.SenthilKumar Advocate SR.NO.72322
+1cc to M/s.Subbaraya Aiyar Padmanabhan, Advocate SR.NO.72315

RSI(CO)
sm:23.11.2018

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