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.957 of 2009

The Commissioner of Income Tax,
Tamil Nadu-VIII, Madras. ...Appellant/Appellant

Vs

M/s.Bhavani Enterprises, Puducherry ...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 21.7.2008 in ITA No.1861/Mds/2007 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2004-05 against the proceedings of the Income Tax Office, Ward 1(1) Pondichrry dated 11.5.2007 against the order of the Commissioner of Income (Appeals)-XI, Chennai dated 21.3.2007 against the Assessment order for 2004-05 dated 28.12.2006.

For Appellant : Mr.T.R.Senthilkumar

For Respondent : No appearance

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

To
1. The Income Tax Appellate Tribunal, Chennai 'C' Bench.
2. The Assistant Commissioner of Income Tax,Circle I, Pondicherry
3. The Commissioner of Income Tax (Appeals)-XI,Chennai
4. The Commissioner of Income Tax, Tamil Nadu VIII, Madras.

+ 1 cc to M/s. T.R. Senthilkumar, Advocate Sr.69521

TCA.No.957 of 2009

PPA(CO)
EU(28/11/2018)