

In the High Court of Judicature at Madras

Dated : 09.11.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mr.Justice N.SATHISH KUMAR

Tax Case Appeal No.455 of 2010

Commissioner of Income Tax,
Chennai

...Appellant/ Appellant

Vs

M/s.Brakes India Ltd., Padi.
Chennai.

...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 19.6.2009 in ITA No.1722/Mds/2008 on the file of the Income Tax Appellate Tribunal Chennai 'D' Bench for the assessment year 1998-99.

For Appellant : Mr.T.Ravikumar

For Respondent : Mr.Vikram Vijayaraghavan

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.

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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 under exceptional clauses mentioned

in the 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(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Income Tax Appellate Tribunal,
Chennai 'D' Bench.

2.The Commissioner of Income Tax,
Chennai.

+1cc to Mr.T.Ravikumar, Advocate, S.R.No.76633

TCA.No.455 of 2010

BS (CO)
GSP (03/12/2018)



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