In the High Court of Judicature at Madras

Dated : 12.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.475 of 2010

The Commissioner of Income
Tax, Salem. ...Appellant

Vs

M/s.Deventhira Spinners (P) Ltd.,
Erode-6 ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 04.9.2009 in ITA No.470/Mds/2009 on the file of the Income Tax Appellate Tribunal Chennai 'D' Bench for the assessment year 2005-06 against the order of the Income Tax officer (Judicial) O/O the Commissioner of Income-Tax (Appeals) Salem made in ITA.No.20/07-08, dated:30/01/2009 and against the Assessment order of the Additional Commissioner of Income-Tax, Range-I, Salem dt:15/02/2007 made in PAN/GI.No.AAACD7410.

For Appellant : Mr.T.Ravikumar
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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

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

2.The Additional Commissioner of Income Tax,
Range-I, Salem.

TCA.No.475 of 2010

CP(CO)
GSP(27/11/2018)