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.905 OF 2010

Commissioner of Income Tax-
III, Chennai ...Appellant/Appellant

Vs

Shri Sudharshan Kumar Rungta,
Proprietor M/s.Raunaq Steel
Industries ...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 30.3.2010 in ITA No.1346/Mds/2009 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2003-04.

For Appellant : Mr.M.Swaminathan &
Mrs.V.Pushpa

For Respondent : Mr.G.Baskar

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

//True Copy//

Sub Assistant Registrar

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To

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

2. The Commissioner of Income Tax III,
   Chennai.

3. The Income Tax Officer(OSD)
   Company Circle-V(3), Chennai.

+1cc to Mr.M.Swaminathan, Advocate, S.R.No.76958
+1cc to Mr.G.Baskar, Advocate, S.R.No.76950

TCA.No.905 of 2010

NMI(CO)
CS/07/12/2018