In the High Court of Judicature at Madras

Dated : 11.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM
and
The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.248 of 2011

The Commissioner of Income Tax,
Puducherry ...Appellant

Vs

M/s.Latha Steels Suppliers
Puducherry-1 ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 03.1.2011 in ITA No.150/Mds/2010 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2001-02 against the order passed by the Commissioner of Income Tax(Appeals)-XII Nungambakkam, Chennai 600 034 made in ITA.No.194/08-09 date of order 26.11.2009 for the assessment year 2001-02.

against the order passed by the Income Tax officer, ward I (1) Puducherry made in PA.No.GI.No.AAAFL2477N/L-433/date of order 29.12.2008 for the assessment year 2001-02.

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

For Respondent : Mr.M.P.Senthilkumar

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.

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

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Sub Assistant Registrar

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

2. The Commissioner of Income Tax Puducherry.

3. The Commissioner of Income Tax (Appeals)-XII, Nungambakkam, Chennai 600 034.

4. The Income Tax Officer, Ward I (1) Puducherry.

5. The Section Officer, VR Section, High Court, Madras.

+ 1 cc to M/s. M.P.Senthilkumar, Advocate Sr.70869

TCA.No.248 of 2011

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