

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.323 of 2011

Commissioner of Income Tax-I,
Trichy

...Appellant

Vs

M/s.Atlas Exports Enterprises, Karur

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 25.3.2011 in ITA No.1948/Mds/2009 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2005-06 against the order of the Commissioner of Income Tax (Appeals) Tiruchirappalli 620 001, dated 19.10.2009 in ITA.No.132/07-08 for the Assessment Year 2005-06 and against the Deputy Commissioner of Income Tax, Circle-II, Tiruchirappalli, dated 16.11.2007 in PAN./GIR NO.AAAFA4788R.

For Appellant : Mr.T.Ravikumar & Mrs.R.Hemalatha

For Respondent: Mr.R.Venkata Narayanan for
M/s.Subbaraya Aiyer

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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. No costs.

Sd/-
Assistant Registrar(C)

//True Copy//

Sub Assistant Registrar

To

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

2. the Commissioner of Income Tax (Appeals), No.44, Williams Road, Cantonment, Tiruchirapalli, 620 001.

3. The Deputy Commissioner of Income Tax Circle-II, No.4 Williams Road, Tiruchirapalli

+ 1 cc to Mr. T. Ravikumar, Advocate Sr.70841

+ 1 cc to Mr. Subbaraya Ayiar Padmanabhan, Advocate SR.71182

सत्यमेव जयते

TCA.No.323 of 2011

MP (CO)

EU (07/12/2018)

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