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 Nos.436 & 437 of 2011

Commissioner of Income Tax-I,
Trichy-1 ...Appellant

Vs

M/s.Amaravathy Textiles Ltd., Karur ...Respondent

APPEALS under Section 260A of the Income Tax Act, 1961 against the common order dated 04.4.2011 in ITA Nos.164 and 165/Mds/2011 on the file of the Income Tax Appellate Tribunal Madras 'A' Bench respectively for the assessment years 2006-07 and 2007-08 against the order dated 23/11/2010 on the file of the commissioner of Income Tax Appeals,Trichirapalli in ITA.NO.163/09-10,550/08-09 respectively against the (1) order dt.30/12/2009 in PAN NO.AAFFA9673E for the assessment year 2007-2008 and (2) order dt 29/12/2008 in PAN NO.AAFFA9673E for the Assessment year 2006-2007 respectively on the file the Deputy Commissioner of Income Tax Circle II,Trichy-620 001.

For Appellant : Mr.T.Ravikumar & Mrs.R.Hemalatha
For Respondent : Mr.Sandeep Bagmar
for Mr.V.S.Jayakumar

COMMON JUDGMENT

(Judgment was delivered by T.S.SIVAGNANAM,J)

Heard the learned counsel for the appellant.

2. These appeals by the Revenue challenge the common order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw the appeals 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 In the light of the above, the appeals are dismissed as withdrawn and the substantial question of law framed is left open. In the event, in each of the cases, 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 appeals to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(CS ix)

//True Copy//

Sub Assistant Registrar

To
The Income Tax Appellate Tribunal, Madras 'A' Bench.

2.The commissioner of Income Tax Appeals,Trichirapalli.

3.The Deputy Commissioner of Income Tax Circle II,
Trichy-620 001.

+1cc to Mr.T.Ravikumar , Advocate SR.No. 70842
+1cc to Mr. V.S.Jayakumar, Advocate SR.No. 70863

TCA.Nos.436 & 437 of 2011

ASK(19/11/2018)