

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.305 of 2012

The Commissioner of Income Tax,
Chennai

...Appellant/Respondent

Vs

M/s.GKR Charities, Chennai-86

...Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 30.4.2012 in ITA No.1812/Mds/2011 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2007-08.

against the Order of Deputy Director of Income Tax, Chennai dated 12.10.2009 PAN/GIR No. 1630-G/2007-08 and against the Order dated 22/09/2011 in ITA.No. 47/2009-10 by the Commissioner of Income Tax (Appeals)- XII, Chennai.

For Appellant : Mr.Karthik Ranganathan

For Respondent : Mr.R.Sivaraman

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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

//True Copy//

Sub Assistant Registrar

To

1. The Income Tax Appellate Tribunal,
Chennai 'C' Bench.
2. The Deputy Director of Income Tax,
(Exemption)-I, Chennai-34.
3. The Commissioner of Income Tax (Appeals) - XII,
121, Mahatma Gandhi Road,
Nungambakkam, Chennai.
4. The Assistant Registrar,
Income Tax Appellate Tribunal,
IIIrd Floor, Rajaji Bhavan,
Besant Nagar, Chennai.

+1cc to Mr.R.Sivaraman, Advocate, S.R.No. 71262
+1cc to Mr.R.Natarajan, Advocate, S.R.No. 70700

TCA.No.305 of 2012

SJ(CO)
GN(19/11/2018)

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