

In the High Court of Judicature at Madras

Dated : 29.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No. 159 of 2013

The Commissioner of Income Tax,
Chennai-IV, 121, Nungambakkam High Road,
Chennai - 600 034. ...Appellant/Appellant

Vs

M/s. R.K.Swamy BBDO
Advertising Pvt Ltd.,
604, Mount Road,
Chennai - 600 006. ...Respondent/Respondent

Appeal under Section 260A of the Income Tax Act, 1961 is directed against the order dated 26.07.2012 in ITA No.434/Mds/2011 on the file of the Income Tax Appellate Tribunal Madras 'A' Bench for the assessment year 2007-08, against the order of The Commissioner of Income-Tax (Appeals) V, Chennai-34, dated 01.12.2010, made in ITA No.367/09-10, and against the order of The Assistant Commissioner of Income Ta, Company circle V(4), Chennai, dated 22.12.2009, made in PAN No.AACCR3551L, Assessment year 2007-08.

For Appellant : Mr.M. Swaminathan and
M/s.V.Pushpa

For Respondent : Mr.A.S.Srirama

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

Heard the learned counsel for the appellant and the learned counsel for the respondent.

2. This appeal by the Revenue is challenged against the order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw this 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 In the light of the above, the appeals are dismissed as withdrawn and the substantial questions of law framed are left open.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 appeals to be heard and decided on merits.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

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To

1. The Income Tax Appellate Tribunal, Madras 'A' Bench, Chennai.
2. The Commissioner of Income Tax, Chennai IV, 121 Nungambakkam High Road, Chennai-34
3. The Commissioner of Income Tax (Appeals) V, Chennai-34.
4. The Assistant Commissioner of Income Tax, Company Circle V(4) Chennai.

+1cc to Mr.S.Sridhar, Advocate SR.No.74761

+1cc to Mr.M.Swaminathan, Advocate SR.No.73719

TCA No. 159 of 2013

BR (CO)

GMV (04/12/2018)

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