In the High Court of Judicature at Madras

Dated : 08.10.2018

Coram :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tax Case Appeal Nos.720 and 721 of 2015

The Commissioner of Income Tax,
Company Circle-III, Chennai ...Appellant

Vs

M/s.Tenneco RC India Private
Limited, Hosur-635126. ...Respondent

APPEALS under Section 260A of the Income Tax Act, 1961 against the common order dated 30.1.2015 in ITA Nos.903 and 904/Mds/2014 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench respectively for the assessment years 2004-05 and 2005-06 against the order of the Commissioner of Income Tax (appeals )III, Chennai 34 dated 26.12.2013 made in I.T.A. No. 997 & 996/2013-2014 and against the order of the Deputy Commissioner of Income Tax Company Circle III(2) Chennai34 dated 29.12.2009 made in GIR/PAN.No. AAACH 8303E for assessment year 2004-2005 & 2005-2006.

For Appellant : Mr.M.Swaminathan

For Respondent : No appearance

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 In the light of the above, the appeals are dismissed as withdrawn and the substantial questions of law framed are left open.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.

-s/d-
Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

To
1.The Income Tax Appellate Tribunal, Chennai 'C' Bench.
2. The Commissioner of Income Tax, Company Circle III, Chennai.
3. The Commissioner of Income Tax, Appeals III, Chennai.
4. The Deputy Commissioner of Income Tax
Company Circle III(2) Chennai 34.

+1 CC to Mr.M.Swaminathan, Advocate sr 69040.
+1 CC to Mr.T.N. Seetharaman, Advocate sr 69282.

TCA.Nos.720 & 721 of 2015

CA(CO)
SP(19/11/2018)