In the High Court of Judicature at Madras

Dated : 20.9.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.737 of 2015

The Commissioner of Income Tax,
Non Corporate Circle 20, Chennai ...Appellant

Vs

M/s.Channel Bharath Entertainment
Private Limited, Chennai-83. ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 04.3.2015 in ITA No.2968/Mds/2014 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)-IV, Chennai dated 08/09/2014 and made in ITA.No.12/13-14.

Media Circle-I, Chennai dated 7.03.2013 and made in PA.No./GIR.No.AACCC5564C for the Assessment year 2007-2008.

against the order of the Commissioner of Income Tax, Chennai IV, Chennai dated 15.03.2012 and made in C.No.1321(18)/CIT IV/2007-2008.

For Appellant : Mrs.S.Premalatha
for M.Swaminathan
For Respondent : Mr.S.Sridhar

Judgment was delivered by T.S.SIVAGNANAM,J

We have heard the learned counsel on either side.

2. The Revenue has preferred this appeal challenging the order dated 04.3.2015 passed by the Income Tax Appellate Tribunal in ITA.No.2968/Mds/ 2014 for the assessment year 2007-08. 3. The above appeal has been admitted on 02.9.2015 on the following substantial question of law :

"Whether, on the facts and in the circumstances of the case, the Income Tax Appellate Tribunal was right in law in quashing the order passed under Section 143 (3) read with Section 263 of the Income Tax Act without going into the merits of the impugned order ?"

4. The learned Standing Counsel for the appellant seeks permission to withdraw the above appeal based on the Board's monetary policy circular. She would submit that on account of the monetary limit in this appeal, which is lesser than the threshold fixed by the Board's circular dated 11.7.2018, she may be permitted to withdraw the appeal.

5. The said submission of the learned Standing Counsel for the Revenue is placed on record. The above tax case appeal is dismissed as withdrawn and the substantial question of law framed in this appeal is left open. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

RS

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

2 The Commissioner of Income Tax(Appeals)-IV,
Chennai

3.The Deputy Commissioner of Income-Tax,
Media Circle I, Chennai.

4.The Commissioner of Income Tax,Chennai IV
Chennai.

+1 cc to Mr.S.Sridhar Advocate sr 65380
+1 cc to Mr.M.Swaminathan, Advocate sr 65371

TCA.No.737 of 2015

aa15/10/2018