

In the High Court of Judicature at Madras

Dated : 26.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM
and
The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.35 of 2013

The Commissioner of Income
Tax, Coimbatore ...Appellant/Respondent

Vs

M/s.Sri Balasubramania Mills Ltd.,
483, Kamaraj Road,
Upplialayam
Coimbatore-15 ...Respondent/Appellant

PRAYER: APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 24.7.2012 in ITA No.626/Mds/2009 on the file of the Income Tax Appellate Tribunal Chennai 'D' Bench for the assessment year 2006-07 against the order of the Commissioner of Income Tax (Appeals)-I, Coimbatore dated 26.02.2009, made in Appeal No. 118/08-09, preferred against the Order dated 15.09.2008, passed by the Assistant Commissioner of Income Tax, Company Circle I (1), Coimbatore made in AADCS188K.

For Appellant : Mr.T.R.Senthilkumar & Ms.K.G.Usharani

For Respondent : Mr.A.Sathyaseelan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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 appeal to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(CCC)

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To Sub Assistant Registrar

- 1.The Income Tax Appellate Tribunal,
Chennai 'D' Bench.
2. The Commissioner of Income Tax (Appeals)-I,
Coimbatore.
3. The Assistant Commissioner of Income Tax,
Company Circle I (1), Coimbatore.

+1cc to Mr.T.R.SenthiKumar, Advocate, S.R.No. 73316
+1cc to Mr.A.Sathya Sekar, Advocate, S.R.No. 74542

TCA.No.35 of 2013

SSV(CO)
GN(20/11/2018)

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