In the High Court of Judicature at Madras

Dated : 24.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.918 of 2015

The Commissioner of Income
Tax, Chennai ...Appellant

Vs

M/s.South India Travels Pvt. Ltd.,
Chennai-32 ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 28.11.2014 in ITA No.1587/Mds/2014 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2002-03, Preferred against the order to the Commissioner of Income Tax Appeals VI, Chennai-34 made in ITA 843/13-14 dated 31/3/2014 against the order dated 8/10/2009 in G.I.No.SO 110 AAACS3792E/2002/03 passed by the Assistant Commissioner of Income Tax Company Circle VI(3) Chennai against the order dated 2/2/2004 passed by the Commissioner of Income Tax (Appeals)V, Chennai-34, in ITA 96/2007-08 against the Assessment order dated 31/7/2007 passed by the Income Tax Officer (OSD) Company Circle VI(3), chennai.

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

For Respondent : Mr.R.Venkatanarayanan for
M/s.Subbaraya Aiyar Padmanabhan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

//True copy//

Sub Assistant Registrar

Rs

To

1. The Income Tax Appellate Tribunal, Chennai 'A' Bench.

2. The Commissioner of Income Tax (Appeals)-VI

3. The Assistant Commissioner of Income Tax, Circle VI(3)

4. The Commissioner of Income Tax Appeals V, Chennai-34

5. The Income Tax Officer (OSD), Company Circle VO (3) Chennai

+1cc to Mr.T.R.Senthilkumar, Advocate SR.No.72912

+1cc to M/s.Subbaraya Aiyar, Advocate SR.No.72936

TCA.No.918 of 2015

RR(CO)

GMY(06/12/2018)