In the High Court of Judicature at Madras

Dated : 09.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.538 of 2013

The Commissioner of Income Tax,
Chennai ...Appellant

Vs

M/s.GEC Alsthom India Ltd.,
Chennai-43. ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 20.12.2012 in ITA No.1924/Mds/1993 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 1987-88 against the order of the Commissioner of Income Tax (Appeals),VII, Madras -34 dated 15.3.1993 and made in ITA.No.172/92.93/SR II for the Assessment year 1987-88.

against the order of the Deputy Commissioner of Income Tax, Special Range II, Madras dated 20.10.1992 and made in P.A.No,47.003.CV.0802 for the Assessment year 1987-88

against the order of the Deputy Commissioner of Income Tax, Special Range II, Madras-34 dated 28.3.1990 and made in PAN/GIR No.47-03-CV—0802/5-E for the Assessment year 1987-88.

For Appellant : Mr.Karthik Ranganathan

For Respondent : No appearance

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

RS

To

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

2. The Commissioner of Income-Tax(Appeals) VII, Madras-34.

3. The Deputy Commissioner of Income Tax, Special Range-II,

4. The Commissioner of Income Tax, Chennai.

TCA.No.538 of 2013

SV(CO)

GMY(14/11/2018)