

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.574 of 2013

The Commissioner of Income
Tax, Chennai

...Appellant

Vs

M/s.Indian Education Trust, C/O
M/s.Subbaraya Aiyer Padmanabhan
& Ramani, Advocates, Chennai-4

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 12.3.2013 in ITA No.2150/Mds/2011 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2007-08, as against the order dated 18/10/2010 in ITA No.55/2009-10 on the file of the Commissioner of Income Tax (Appeals)-XII 121, Mahatma Gandhi Road, Nungambakkam Chennai-600 034 against the order dated 12/11/2009 in PAN/GIR No.AAAT10345N/4667-I on the file of Deputy Director of Income Tax (Exemption)IV Chennai 600 034.

For Appellant : Mr.Karthik Ranganathan

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

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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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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(CS IX)

//True Copy//

Sub Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal,
Chennai 'A' Bench.
- 2.The Deputy Director of Income Tax (Exemption)IV,
Chennai-600 034.
- 3.The Commissioner of Income Tax (Appeal)-XII,
121, Mahatma Gandhi, Road,
Nungambakkam,
Chennai 600 034.

सत्यमेव जयते

TCA.No.574 of 2013

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