

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.917 of 2013

The Commissioner of Income
Tax, Central Circle, Chennai

...Appellant

Vs

Sheila Bai

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 22.4.2013 in ITA No.89/Mds/2013 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2009-10.

as against the Order passed by the Commissioner of Income Tax (Appeals)1, Chennai in ITA.No. 130/11-12, dated 22.10.2012 as against the Order passed by the Assistant Commissioner of Income Tax Central Circle I (3), Chennai 34, in PAN No. AAKPB3516P dated 21.12.2011 for the assessment Year 2009-10.

For Appellant : Mr.Karthik Ranganathan

For Respondent : Mr.P.Nareshkumar

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

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To Sub Assistant Registrar

1. The Income Tax Appellate Tribunal,
Chennai 'B' Bench.
2. The Commissioner of Income Tax (Appeals) I,
Chennai 600 034.
3. The Assistant Commissioner of Income Tax,
Central circle 1(3), Chennai.
4. The Commissioner of Income Tax,
Central Circle 1 (3), Chennai.
5. The Assistant Registrar,
Income Tax Appellate Tribunal,
III rd Floor, Besant Nagar,
Rajaji Bhavan, Chennai.

TCA.No.917 of 2013

VSNII (CO)
GN(16/11/2018)

सत्यमेव जयते

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