

In the High Court of Judicature at Madras

Dated : 10.10.2018

Coram :

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

Tax Case Appeal Nos.10 & 11 of 2016

The Commissioner of Income Tax,
Chennai

...Appellant

Vs

M/s.Bimetal Bearings Ltd.,
Chennai-11.

...Respondent

APPEALS under Section 260A of the Income Tax Act, 1961 against the common order dated 22.5.2015 in ITA Nos.89 and 90/Mds/2015 on the file of the Income Tax Appellate Tribunal Madras 'C' Bench respectively for the assessment years 2005-06 and 2006-07. preferred against Order of the Commissioner of Income Tax (Appeals) - 1, Chennai dated 25/09/2014 and it emanates from the Order dated 28/11/2007 passed by the Assistant Commissioner of Income Tax, Company 1(2), Chennai the Assessing Officer.

For Appellant : Mr.T.Ravikumar, SSC

For Respondent : Mr.R.Venkata Narayanan for
M/s.Subbaraya Aiyer Padmanabhan

COMMON JUDGMENT

(Judgment was delivered by T.S.SIVAGNANAM,J)

Heard the learned counsel for the appellant.

2. These appeals by the Revenue challenge the common order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw the appeals 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 In the light of the above, the appeals are dismissed as withdrawn and the substantial questions of law framed are left open. In the event, in each of the cases, 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 appeals to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

To

1. The Income Tax Appellate Tribunal,
Madras 'C' Bench.
2. The Commissioner of Income Tax,
Chennai.
3. The Commissioner of Income Tax,
(Appeals)-1, Chennai.
4. The Assistant Commissioner of Income,
Company Circle (1(2)), Chennai.

+1cc to Mr.T.Ravi Kumar, Advocate, S.R.No. 69912
+1cc to Mr.Subbaraya Aiyar, Advocate, S.R.No. 70763

TCA.Nos.10 & 11 of 2016

PP(CO)
GN(26/11/2018)