In the High Court of Judicature at Madras

Dated : 22.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.114 of 2016

The Commissioner of Income Tax,
Salem ...Appellant/Respondent

Vs

Shri C.R.Selvaraj, NSR Mall,
Namakkal ...Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 22.5.2015 in ITA No.100/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2011-12 against the order passed by the Commissioner of Income Tax (A), Salem, dated 14.11.2014 ade in ITA.No.263/2013-14 and against the Assessment order passed by the Income Tax Officer, Ward -I (1) Namakkal dated 24/8/2014 made in PAN-BSJPS 7393N.

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

For Respondent: Ms.J.Sree Vidya

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left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

//True Copy//

Sub Assistant Registrar

To
1.The Income Tax Appellate Tribunal, Chennai 'C' Bench.
2.The Commissioner of Income Tax (A),
Salem.
3.The Income Tax Officer,
Ward I(1),
Namakkal.

+1cc to Mr.T.R.Senthilkumar, Advocate SR.NO.72168
+1cc to Mr.Arun Kurian Joseph, Advocate SR.NO.72159

EV(CO)
sm:16.11.2018