

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.148 of 2016

The Commissioner of Income Tax,
Chennai

...Appellant

Vs

Shri Kumar Rajaram

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 17.7.2015 in ITA No.1067/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2012-13 against the order dated 27/02/15 in ITA.No.64 CIT(A)-16/2014-2015 on the file of the Commissioner of Income Tax (Appeals)-16 for the Assessment year 2012-2013 against the order dated 25.09.2014 in PA.No./GIR.No.BDWPR44-73G on the file of the Income Tax Officer International Taxation II (1), Chennai 34.

For Appellant : Mr.Karthik Ranganathan & Mr.S.Rajesh

For Respondent : Mr.R.Kumar

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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., Chennai
- 2.The Commissioner of Income Tax, Chennai
- 3.The Commissioner of Income Tax Appeals-16, Chennai
- 4.The Income Tax Officer,
International Taxation II(1),
Chennai-34

+1cc to MR.T.N.Seetharaman, Advocate SR.NO.74538

VBA (CO)

sm:19.11.2018

TCA.No.148 of 2016

सत्यमेव जयते

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