

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 No.164 of 2016

The Commissioner of Income Tax,
Chennai ...Appellant

Vs
M/s.Reliable Cashew Co. (P) Ltd.,
Chennai-18. ...
Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 04.9.2015 in ITA No.2237/Mds/2013 on the file of the Income Tax Appellate Tribunal Chennai 'D' Bench for the assessment year 2009-10 and Appeal against the order of the commissioner of Income Tax (Appeals) V, 121.M.G.road Nungambakkam, Chennai- 34 in ITA.NO.774/13-14(A)-V,dt.02/09/2013 and appeal against in order of the Assistant Commissioner of Income Tax ,Company Circle V(3) Chennai the Assessment Order w/s.143(3) rws 92CA &144C for Assessment Year 2009-2010 in PAN/GI NO.AADCR 1456K dt.12/03/2013.

For Appellant : Mr.Karthik Ranganathan
For Respondent : No appearance

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To
The Income Tax Appellate Tribunal, Chennai 'D' Bench.

2.The Income Tax Appeals (V), 121.M.G.road Nungambakkam,
Chennai- 34.

3.The Assistant Commissioner of Income Tax ,Company Circle
V(3) Chennai

+1cc to Mr. , Advocate SR.No. 70650

TCA.No.164 of 2016

ASK(12/11/2018)



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