

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.348 of 2016

The Commissioner of Income Tax,
Chennai

...Appellant/Respondent

Vs

Shri.K.Kodiarasan

...Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 19.6.2015 in ITA No.1847/Mds/2014 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2006-07 against the order of the Commissioner of Income Tax (appeals)V, 2nd floor, Main Building, 121, Mahathma Gandhi Road, Nungambakkam, Chennai 34 order dated 25.02.2014 and made in I.T.A. No. 327/08-09(A)V for the assessment year 2006-2007 and against the order of the Deputy Commissioner of Income Tax, Circle XIV, Chennai 34 order dated 31.12.2008 and made in P.A.No/GIR. No.AAHPK8834B for the assessment year 2006-2007.

For Appellant : Mr.T.Ravikumar, SSC
For Respondent : Mr.R.Sivaraman

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal, Chennai 'B' Bench., Chennai.
2. The Commissioner of Income Tax (appeals)V,
2nd floor, Main Building,
121, Mahathma Gandhi Road, Nungambakkam,
Chennai 34
3. The Deputy Commissioner of Income Tax, Circle XIV, Chennai 34.
4. The Commissioner of Income Tax, Chennai

TCA.No.348 of 2016

RV(CO)
SP(29/11/2018)

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