

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.352 of 2016

The Commissioner of Income Tax,
Business Circle-VIII, Chennai-34. ..Appellant/ Respondent
Vs

M/s.Essar Ve Enterprises,
Chennai-1.Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 17.7.2015 in ITA No.528/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2010-11 against the order dt.27.11.2014 on the file of the commissioner of Income Tax (Appeals)-13, Chennai in ITA NO.1743/2013-14 for the Assessment year 2010-2011 against the order dt.28.03.2013 on the file of the Assistant Commissioner of Income Tax,Business circle VIII, Chennai. In PAN/GAR NO.AABFE1402B

For Appellant : Mr.M.Swaminathan and Mrs.V.Pushpa
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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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 vi)

//True Copy//

Sub Assistant Registrar

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

2. The commissioner of Income Tax (Appeals)-13,
121, Mahatma Gandhi Road, Chennai-34.

3. The Assistant Commissioner of Income Tax, Business circle
VIII, Chennai 6.

4. The Commissioner of Income Tax, Business circle VIII,
Chennai.

5. The Assistant Registrar,
Income Tax Appellate tribunal,
III rd Floor,
Besant Nagar,
Rajaj Bhavan,
Chennai.

Copy to
The section officer,
VR Section,
High court
Madras

+1cc to Mr. M. Swaminathan, Advocate SR.No. 69888

TCA.No.352 of 2016

ASK(28/11/2018)