

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.411 of 2016

The Commissioner of Income Tax,
Coimbatore

...Appellant

Vs

M/s.NKCM Spinners Pvt. Ltd.,
Erode-1

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 11.9.2015 in ITA No.974/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2010-11 against the order of the Commissioner of Income Tax (Appeals)3 Coimbatore dated 08.01.2015 made in Appeal No. 149/13-14(A)I against the Assistant Commissioner of Income Tax Circle I Erode dated 28.03.2013 , made in PAN.No.AACCN70950 Assessment year 2010-2011.

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

For Respondent : Mr.Niranjan Rajagoplan
for M/s.G.R.Associates

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

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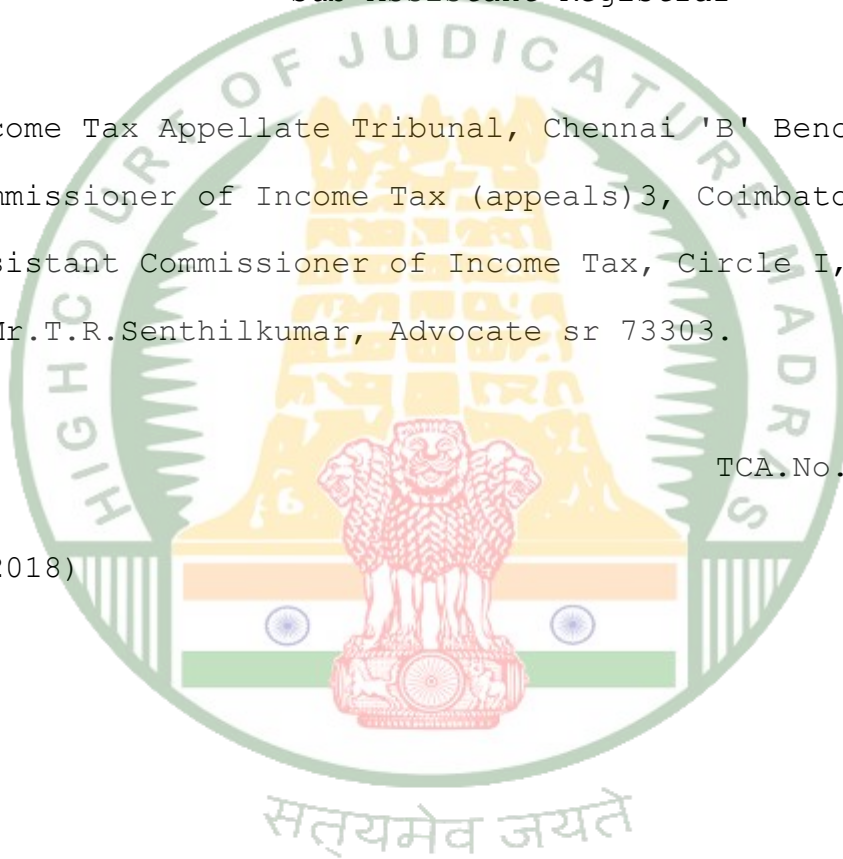
Sub-Assistant Registrar

To

1. The Income Tax Appellate Tribunal, Chennai 'B' Bench.
 2. The Commissioner of Income Tax (appeals)3, Coimbatore.
 3. The Assistant Commissioner of Income Tax, Circle I, Erode.
- +1 CC to Mr.T.R.Senthilkumar, Advocate sr 73303.

TCA.No.411 of 2016

VGII(CO)
SP(22/11/2018)



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