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.6 of 2016

The Commissioner of Income Tax,
Chennai ...Appellant

Vs

M/s.Pacific Orient Trading,
Chennai-20. ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 26.6.2015 in ITA No.363/Mds/2010 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2008-09, against the order of the Commissioner of Income Tax (Appeals),V, Chennai, made in CTT(A)-V/ITA No.127/2010-II, dated 29.11.2012, against the order passed by the deputy Commissioner of Income Tax, Company Circle V(i), Chennai-34, dated 03.12.2010 against the PAN No.AAACP3727C, for the Assessment year 2008-2009.

For Appellant : Mr.Karthik Ranganathan

For Respondent : Mr.Ashok Pathy for M/s.Pass 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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left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.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

RS

To
1. The Income Tax Appellate Tribunal, Chennai 'B' Bench.

2. The Commissioner of Income Tax (Appeals-V), Chennai.

3. The Deputy Commissioner of Income Tax,
   Company circle V(i), Chennai

Copy To:

The Section Officer, VR Section, High Court, Madras

TCA.No.6 of 2016

GJ II(CO)

GMY(13/11/2018)