In the High Court of Judicature at Madras

Dated : 09.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.226 of 2014

The Commissioner of Income Tax,
Chennai ...Appellant

Vs

M/s.Apex Laboratories Ltd.,
Chennai-18. ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 15.12.2011 in ITA No.562/Mds/2011 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2006-07. arising against the order of the Commissioner of Income Tax (Appeals) LTU, Chennai, dated 12.01.2011, in ITA.No. 72/08-09/LTU(A), against the assessment Order dated 26.12.2008 of the Assistant commissioner of Income Tax Large Taxpayer Unit, Chennai.

For Appellant : Mr.T.Ravi Kumar
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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed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(CCC)

//True Copy//

Sub Assistant Registrar

To

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

2. The Commissioner of Income Tax Appeals,
Large Tax Prayer Unit, Chennai.

3. Assistant Commissioner of Income Tax,
Large Tax Prayer Unit, Chenai.

+1cc to Mr.T.Ravi Kumar, Advocate, S.R.No.69616

TCA.No.226 of 2014

SSV(CO)
GN(20/11/2018)