In the High Court of Judicature at Madras

Dated : 12.10.2018

Coram :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tax Case Appeal No.967 of 2014

The Commissioner of Income
Tax, Media Circle-I, Chennai-34. ...Appellant/Appellant

Vs

M/s.Gemini Industries & Imaging
Pvt.Ltd., Chennai-78 ...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 30.5.2014 in ITA No.1732/Mds/2013 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2009-10 against the order of the Commissioner of Income Tax (A) IV, Chennai made in I.T.A. No. 208 & 209/2011-2012 dated 28.05.2013 as against the order of the Deputy Commissioner of Income Tax Media Circle I, Chennai dated 29.12.2011 for the assessment year 2009-2010.

For Appellant : Mr.M.Swaminathan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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

-s/d-
Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

To
1.The Income Tax Appellate Tribunal, Chennai 'C' Bench.
2. The Commissioner of Income Tax (A) IV, Chennai.
3. The Deputy Commissioner of Income Tax Media Circle I, Chennai.

+1 CC to M/s.M. Swaminathan, Advocate sr 70932.

TCA.No.967 of 2014

CNR(CO)
SP(19/11/2018)