In the High Court of Judicature at Madras

Dated : 22.10.2018

Coram :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tax Case Appeal No.144 of 2017

The Commissioner of Income Tax, Chennai ...Appellant/ Respondent

Vs

M/s.Aban Offshore Ltd., Chennai-8 ..Respondent/ Appellant

Prayer:Tax case APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 29.7.2016 in MA.No.96/Mds/2016 in ITA No.1343/Mds/2012 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2008-09 and against the order of the Deputy commissioner of Income Tax,company range I, Chennai. dt.31.12.2015 made in ITA.NO.1159/MDS/2012 for the assessment year 2008-2009 and against the order of the commissioner of Income tax (Appeals)-III, Chennai. 34,DT.28.03.2012 made IN ITA.NO.514,515 AND 516/11-12(A)-III, for the assessment year 2008-2009 and against the order of the Additional commissioner of Income Tax company Range -I, Chennai. 34,dt 30.12.2011 made in PAN/GIR NO.AAACA3012H/AX2-017.

For Appellant : Mr.T.Ravikumar & Mrs.R.Hemalatha
For Respondent : Mr.G.Baskar

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law raised are left open.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

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

2.The Deputy commissioner of Income Tax,
company range I, Chennai.

3.The commissioner of Income tax (Appeals)-III, Chennai.34

4.The Additional commissioner of Income Tax company Range -I, Chennai.

+1cc to Mr. T.Ravikumar, Advocate SR.No. 72211
+1cc to Mr.G.Baskar , Advocate SR.No. 72190

TCA.No.144 of 2017

ASK(12/12/2018)