In the High Court of Judicature at Madras

Dated : 08.10.2018

Coram :

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

Tax Case Appeal No.160 of 2017

The Principal Commissioner of
Income Tax, Central-I, Chennai-34. ...Appellant/Respondent

Vs

M/s.Santha Build-Tech India Pvt.
Ltd., Chennai. ...Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 29.4.2016 in ITA No.2308/Mds/2013 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2008-09 against the order of the Commissioner of Income Tax (Appeals)V Chennai dated 30.09.2013 made in I.T.A. No. 36/13-14 against the Deputy Commissioner of Income Tax, Central Circle III(1) Chennai dated 30.03.2013 made in PAN.No. AACCS9327H Assessment year 2008-2009.

For Appellant : Mr.T.R.Senthilkumar

For Respondent: Mr.P.J.Rishikesh

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

True Copy

Sub-Assistant Registrar

To
1.The Income Tax Appellate Tribunal, Chennai 'C' Bench.
2. The Commissioner of Income Tax (Appeals)(1)(II)
46, Old No. 108, Mahathma Gandhi Road, Chennai 34.
3. The Deputy Commissioner of Income Tax, Central Circle III(1)
New Building, 3rd Floor, 46/108, Mahathma Gandhi Road, Chennai 34.

+1 CC to Mr.P.J.Rishikesh, Advocate sr 69606.
+1 CC to Mr.T.R.Senthilkumar, Advocate sr 69516.

TCA.No.160 of 2017

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