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.193 of 2017

The Commissioner of Income
Tax, Chennai ...Appellant

Vs

M/s.Sivagami Holdings Pvt. Ltd.,
Chennai-2 ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 27.11.2015 in ITA No.1121/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2010-11 Appeal filed against the order of the Principal commissioner of Income Tax -6,Nungambakkam, Chennai made in CMO.6119(6) CIT-6/13-14 dt 04.03.2015 for the Assessment year 2010-2011 against the assessment order dated 25.03.2013 for the assessment year 2010-2011.

For Appellant :Mr.T.R.Senthilkumar & Ms.K.G.Usharani
For Respondent :Mr.A.S.Sriraman

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law raised are left open.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(CS ix)
//True Copy//

Sub Assistant Registrar

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

2.The Principal commissioner of Income Tax -6,Nungambakkam, Chennai .

+2ccs to Mr.T.Ravi kumar , Advocate SR.No. 72210,72167

TCA.No.193 of 2017
ASK(19/11/2018)