IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM :

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

TAX CASE APPEAL NO.306 OF 2017

The Commissioner of Income Tax,
Non Corporate Circle-20, Chennai ...Appellant

Vs

M/s.RK Swamy BBDO Pvt. Ltd.,
Chennai-6 ...Respondent

Appeal against the order of the Income Tax Appellate Tribunal 'C' Bench, Chennai, dated:16/02/2017 in ITA No.504/MDS/2016 against the order of the Commissioner of Income Tax (Appeals)14, Chennai, dated:22/12/2015 relevant to the assessment year 2012-13 made in ITA.No.149/2014-15 in G.I.No./PAN.No.AACCR2213F for the assessment year 2012-2013.

For Appellant : Mr.M.Swaminathan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

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

2.The Assistant Commissioner of Income Tax,
Non-Corporate circle, 20(1), Chennai-34

3.The Commissioner of Income Tax,(Appeal)-14,
Chennai-34

4.The Commissioner of Income Tax,
Non-Corporate circle-20,
Chennai

+1cc to Mr.M.Swaminathan, Advocate, S.R.No.71799

+1cc to Mr.S.Sridhar, Advocate, S.R.No.72184

TCA.No.306 of 2017

RGN(CO)
GSP(20/11/2018)