

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.431 of 2017

The Commissioner of Income
Tax, Chennai

...Appellant

Vs

M/s.Autoneum Nittoku Sound Proof
Products India Private Ltd.,
Kancheepuram-603204

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 30.11.2016 in ITA No.1956/Mds/2016 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2009-10. as against the proceedings of the commissioner of Income Tax (A)-1 Chennai in ITA.No. 275/CIT (A)-1/14-15 dated 04/04/2016 against the proceeding of the Deputy commissioner of Income Tax Company Circle - V (4), Chennai- 600 034 in penalty Order under section 27/AA for the assessment year 2009-2010 dated 27/08/2014.

For Appellant : Mr.T.Ravikumar & Mrs.R.Hemalatha

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law raised are left open.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

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

To

1. The Income Tax Appellate Tribunal,
Chennai 'A' Bench.
2. The Commissioner of Income Tax (A)-I,
121, Mahatma Gandhi Road,
Chennai.
3. The Deputy Commissioner of
Income Tax Company Circle V (4),
4th Floor Main Buildings, Aayakar Bhavan,
Nungambakkam, Chennai 600 034.

+1cc to Mr. T.Ravi Kumar, Advocate, S.R.No. 72209

TCA.No.431 of 2017

RK(CO)
GN(20/11/2018)

सत्यमेव जयते

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