

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.527 of 2017

The Deputy Commissioner of Income Tax,
ChennaiAppellant/Appellant

Vs

M/s.Saint Gobain Gyproc India Ltd.,
Chennai-8. ...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 03.2.2016 in ITA No.2122/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2013-14 and against the order of Commissioner of Income Tax (Appeals)3, Thane in No.648-THN/14-15/25.08.2015 against the ITR-6/2013-14 dated 01/08/2014 by the Assistant Commissioner of Income Tax Bangalore.

For Appellant : Mr.T.R.Senthilkumar & Ms.K.G.Usharani

For Respondent: Mr.S.P.Chidambaram

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law raised is left open.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 VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal, Chennai 'A' Bench.
- 2.The Commissioner of Income Tax(Appeals)-3, Thane
- 3.The Commissioner of Incoem Tax, Chennai.
- 4.The Assistant Commissioner of Income Tax,
Post Bag No-2, Electronic City Post Officer,
Bangalore.
- 5.The Assistant Registrar,
Income Tax Appellate Tribunal,
IIIrd Floor, Besent Nagar,
Rajaji Bhavan, Chennai.

+1cc to Mr.T.R.Sethilkumar, Advocate SR.NO.72318

+1cc to Mr.S.P.Chidambaram, Advocate SR.NO.72161

SJ(CO)

sm:19.11.2018

TCA.No.527 of 2017

सत्यमेव जयते

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