

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.64 of 2017

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

Vs

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

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 24.8.2016 in ITA No.31/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2010-11 against the order dated 29-9-2014 in ITA Nos.2/13-14 on the file of the Commissioner of Income Tax (Appeals)-IV, Chennai, against the order dated 19-3-2013 on the file of the Assistant Commissioner of Income Tax, Media circle-II, Chennai.

For Appellant : Mr.M.Swaminathan

For Respondent : Mr.A.S.Sriraman

सत्यमेव जयते

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law raised are left open.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

//True copy//

Sub Assistant Registrar

Rs

To

1. The Income Tax Appellate Tribunal, Chennai 'C' Bench.
2. The Commissioner of Income Tax Appeals (IV) Chennai.
3. The Assistant Commissioner of Income Tax,
Media Circle-II, Chennai.

+1cc to Mr.M.Swaminathan, Advocate SR.No.71800

+1cc to Mr.S.Sridhar, Advocate SR.No.72185

SSD (CO)
GMY (20/12/2018)

TCA.No.64 of 2017

सत्यमेव जयते

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