

In the High Court of Judicature at Madras

Dated : 02.11.2018

Coram :

The Honourable Mr. Justice T.S.SIVAGNANAM
and
The Honourable Mrs. Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.660 of 2017

Principal Commissioner of Income
Tax-2, Coimbatore ...Appellant

Vs

M/s.Novachem Pharma, Coimbatore-42 ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 15.3.2017 in ITA No.3109/Mds/2016 on the file of the Income Tax Appellate Tribunal Madras 'A' Bench for the assessment year 2012-13 against the Commissioner of Income Tax (Appeals)-3 Coimbatore dated:22/08/2016 made in ITA.No.167/15-16 against the order of the Income Tax Officer Non Corporate ward 4(2) Coimbatore order dated 30/03/2015 made in PAN.No.AAH FNP3405F.

For Appellant : Mr.T.R.Senthilkumar
For Respondent : Mr.Karthik Ranganathan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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 under exceptional clauses mentioned in the 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 II)

//True Copy//

Sub Assistant Registrar

To

1.The Income Tax Appellate Tribunal,
Madras 'A' Bench.

2.The Commissioner of Income Tax,
(Appeals(3), Coimbatore.

3.The Income Tax Officer,
Non Corporate ward 4(2)
Coimbatore.

4.The Income Tax Appellate Tribunal,
IIIrd Floor Rajaji Bhavan,
Besant Nagar, Chennai-600 090.

+lcc to Mr.Karthik Ranganathan, Advocate, S.R.No.76056

TCA.No.660 of 2017

CP(CO)
GSP(13/12/2018)

सत्यमेव जयते

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