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.698 of 2017

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

Vs

Shri Mayank Singhania ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 16.5.2017 in ITA No.2555/Mds/2016 on the file of the Income Tax Appellate Tribunal Madras 'A' Bench for the assessment year 2012-13 against the order of the commissioner of Income Tax (Appeals)-3, Coimbatore made in IT Appeal No.105/15-16, dated 27.05.2016 for the assessment year 2012-13 and against the order of the Income Tax Officer, Non Corporate Ward 4(3), Room No.208, 2nd floor Race Course Road Coimbatore made in PAN No.AOGPM8725A

For Appellant : Mr.T.R.Senthilkumar

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

RS
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(3),
Room No.208, 2nd Floor, Race Course Raod,
Coimbatore.

TCA.No.698 of 2017

CP(CO)
CSL/17.12.2018