

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.792 OF 2017

The Commissioner of Income Tax,
Company Range 3, Chennai

...Appellant/Respondent

Vs

Wardex Pharmaceuticals Private
Limited, Chennai-29

...Respondent/ Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 05.6.2017 in ITA No.1154/Mds/2016 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2011-12. against the order of the Commissioner of Income Tax (Appeals)II, Chennai, dated:24/02/2016, made in ITA.No.233/2014-15-CIT(A)-11, and against the order of the Joint Commissioner of Income Tax, Company Range-III, Chennai, dated:26/03/2014 made in PAN.No.AAACW1036D.

For Appellant : Ms.S.Premalatha

For Respondent : Mr.R.Venkata Narayanan for
M/s.Subbaraya Aiyer Padmanabhan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

To

1.The Income Tax Appellate Tribunal,
Chennai 'C' Bench.

2.The Commissioner of Income Tax,
(Appeals)-II, Chennai

3.The Joint Commissioner of Income Tax,
Company Range-III, Chennai.

4.The Commissioner of Income Tax,
Company Range-III, Chennai.

+1cc to Mr.M.Swaminathan, Advocate, S.R.No.71670

+1cc to Mr.Subbaraya Aiyar, Advocate, S.R.No.71639

सत्यमेव जयते

TCA.No.792 of 2017

BR (CO)
GSP (22/11/2018)

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