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.874 of 2017

Principal Commissioner of Income Tax, Salem ...Appellant

Vs

M/s.S-1911 AN Pudur PACCS Ltd., Salem-636108. ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 27.3.2017 in ITA No.2608/Mds/2016 on the file of the Income Tax Appellate Tribunal Madras 'B' Bench for the assessment year 2013-14 against the order dt:30/06/2016 in ITA No.212/2015-16 of the Commissioner of Income Tax (Appeals), Salem-7, against from the assessment order dt:28/08/2015 for the year 2013-14 made by the Income Tax officer, ward-2(3), Salem.

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law raised is left open.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

To

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

2.The Commissioner Income Tax(Appeals)
No.3, Gandhi Road,
Salem-7.

3.The Income Tax Officer,
Ward-2(3), Salem.

4.The Principal Commissioner of Income- Tax,
Salem.

TCA.No.874 of 2017

NRI(CO)
GSP(12/12/2018)