

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2020

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MR.JUSTICE R.SURESH KUMAR

Tax Case (Appeal) Nos.743 and 744 of 2017

M/s.Balaji Foundation
C/o M.Jeyaraman
S.A.Thambuchinnam Pattu
M.Reddipatty P.O.
Aruppukottai 626 118 ...Appellant in both Appeals

vs.

The Income Tax Officer,
Ward - 1 (1)
Virudhunagar ...Respondent in both Appeals

PRAYER: Tax Case Appeals filed under Section 260A of the Income Tax Act, 1961 against the order of the Income Tax Appellate Tribunal, Chennai "D " Bench, dated 31.01.2017 in ITA Nos.940 and 939/Mds/ 2015 preferred against the order dated 06.03.2015, made in ITA.Nos.226,227/2011-12, passed by the Commissioner of Income Tax(Appeals)-3, Madurai against the order dated 31.12.2010, passed by the Income Tax Officer, Ward 1(1), Virudhunagar, made in PAN No.AAFFB3039D for the Assessment year 2004-2005.

For Appellant : Mr.M.Velmurugan
For respondent : Mr.M.Swaminathan,
Senior Standing counsel

COMMON JUDGMENT

(Delivered by DR.VINEET KOTHARI, J.)

The learned counsel for the Appellant/Assessee seeks permission of the Court to withdraw the Appeals, as the Appellant intends to opt for Sabka Vishwas (Legacy Dispute Resolution) Scheme, 2019 and he has submitted the application to the Revenue Department in this regard. The learned Senior Standing Counsel, appearing for the Revenue however submits that the said application has not yet been accepted.

2. The Appeals are dismissed as withdrawn, with a liberty to the Appellate/Assessee to seek revival of the present appeal, in case the application filed by the appellant under the Sabka Vishwas (Legacy Dispute Resolution) Scheme, 2019, is rejected by the Revenue Department. The connected Miscellaneous petition in C.M.P.No.18568 of 2017 is also dismissed. There is no order as to costs in these appeals.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Income Tax Officer,
Ward - 1 (1)
Virudhunagar

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

3.The Income Tax Appellate Tribunal,
Chennai 'D' Bench,
Chennai.

4.The Assistant Registrar,
Income Tax Appellate Tribunal,
Rajaji Bhavan, Chennai.

T.C.A.Nos.743 and 744 of 2017

SSV(CO)
KKV/03/09/2020

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