C.M.P.No.6190 of 2021
in
TCA.No.388 of 2011

R.MAHADEVAN, J,
&
MOHAMMED SHAFFIQ, J.

(Order of the court was made by R.Mahadevan, J.)

By order dated 19.02.2021, this Court, taking note of the submission made by the learned counsel for the appellant / Revenue that the appeal was less than the threshold limit fixed in the Circular No.17/2019, dated 08.08.2019 issued by Central Board of Direct Taxes, has dismissed the aforesaid appeal viz., T.C.A.No.388 of 2011 with liberty to the appellant / Revenue to restore the appeal to be heard and decided on merits, in the event of the tax effect being above the threshold limit fixed in the said Circular.

2.Heard the learned counsel for the petitioner /appellant / Revenue, who submitted that as per the records, the tax effect in this appeal relating to the assessment year 2005-06 is Rs.4,50,23,500/-, which is above the threshold limit. Therefore, in exercise of the liberty granted to the appellant, the learned counsel prayed that the appeal may be restored on the file of this Court.

3.Learned counsel appearing for the respondent/assessee has no objection for restoration of the appeal.

4.Having regard to the submissions made by the learned counsel on either side and also considering the fact that the appellant has already been granted liberty at the time of dismissal of the appeal, this petition is ordered as prayed for. Consequently, T.C.A.No.388 of 2011 is restored to file.

[R.M.D.,J.] [M.S.Q.,J.]
05.07.2022

msr

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