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TC.(A)No.438 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE G. ARUL MURUGAN

TC(A).No.438 of 2011

Commissioner of Income Tax -II
Madurai

.. Appellant

VS

Shri.R.Bhaaragthwaj
39, Harvey Nagar II Street,
Arasaradi, Madurai – 625 016.

.. Respondent

PRAYER: APPEAL filed under Section 260A of the Income Tax Act, 1961 against order dated 07.04.2011 passed in I.T.A.No.166/Mds/2011 for the Assessment Year 2007-08 on the file of the Income Tax Appellate Tribunal, Madras 'A' Bench, Chennai.

For Appellant : Mr.J.Narayanasamy
Senior Standing Counsel

For Respondent : Mr.R.Sivaraman

DR. ANITA SUMANTH,J.



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TC.(A)No.438 of 2011

and
G. ARUL MURUGAN.,J

JUDGMENT

(Judgment of the court was delivered by Dr.ANITA SUMANTH.,J)

The challenge in this appeal is to an order dated 07.04.2011 passed in I.T.A.No.166/Mds/2011 for the Assessment Year 2007-08.

2. Mr.J.Narayanasamy, learned Senior Standing Counsel appearing for the Income Tax Department draws attention to an order passed on 10.01.2011 for Assessment Year 2007-08 under Section 263 of the Income Tax Act, 1971 where penalty has been quantified at a sum of Rs.1,78,20,561/-. However, on account of low tax effect per Circular bearing No.9 of 2024 dated 17.09.2024, he does not wish to pursue this appeal and seeks withdrawal of the same.

3. Hence, keeping the questions of law alive for determination in an appropriate case, this appeal is dismissed as withdrawn. No costs.

[A.S.M., J] [G.A.M., J]
28.10.2024

Index:Yes/No
Speaking order
Neutral Citation:Yes
sl

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