IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

Tax Case Appeal No.381 of 2015
and M.P.No.1 of 2015

The Commissioner of Income Tax IV
Central Circle, Chennai 600 034. ... Appellant

Vs.

M/s.Handloom Heritage Limited
No.37, Rajamannar Street
T.Nagar, Chennai-17. ... Respondent

Tax Case Appeal filed under Section 260A of the Income Tax Act, 1961 against the order of the Income Tax Appellate Tribunal, Madras 'B' Bench, Chennai, dated 18.05.2011 made in ITA No.1764/Mds/2010.

For Appellant : Mr.Karthik Ranganathan
Senior Standing Counsel

For Respondent : Mr.K.Ravi

JUDGMENT
(Delivered by R.SURESH KUMAR, J.)

This Tax Case Appeal has been filed by the Revenue calling in question the correctness of the order passed by the Income Tax Appellate Tribunal, 'B'

Bench, Chennai and the appeal was admitted on the following substantial question of law:

> *"Whether in the facts and circumstances of the case, the Appellate Tribunal was right in deleting the disallowance of 20 to 25% made by the Commissioner of Income Tax (Appeals) as inflating expenses made by the assessee company?"*

2. It is brought to our notice by the learned Standing Counsel for the appellant Revenue that in the instant case, the tax effect is said to be less than the monetary limit imposed and therefore, the appeal filed by the Revenue can be disposed of, keeping the substantial question of law raised in this appeal open for adjudication at a later point of time.

3. Recording the said submission, this Tax Case Appeal is dismissed for low tax effect, keeping open the substantial questions of law for adjudication at appropriate stage. No costs.

(R.S.K.,J.) (C.S.N.,J.)
01.10.2024

NCS : Yes/No
Index : Yes/No
KST

To

The Income Tax Appellate Tribunal
'B' Bench, Chennai.

R.SURESH KUMAR, J.

AND
C.SARAVANAN, J.

KST

T.C.A.No.381 of 2015

01.10.2024