

**IN THE INCOME TAX APPELLATE TRIBUNAL
COCHIN BENCH, COCHIN**

Before Shri Chandra Poojari, AM & Shri George George K, JM

ITA No.256/Coch/2017 : Asst.Year 2010-2011

The Dy.Commissioner of Income-tax, Circle 2(1) Cochin.	Vs.	M/s. Popular Vehicles and Services Limited 32/2571-H 2 nd Floor, Kuttukaran Centre Mamangalam, Palarivattom, Kochi-682 025 PAN : AABCP3805G.
(Appellant)		(Respondent)

Appellant by : Smt.Bindhu A.S., Sr.DR
Respondent by : Sri. P.M.Veeramani, CA

Date of Hearing : 31.07.2018	Date of Pronouncement : 31.07.2018
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ORDER

Per Chandra Poojari, AM

This appeal at the instance of the Revenue is directed against the order of the Commissioner of Income-tax (Appeals) dated 07th March, 2017. The relevant assessment year is 2010-2011.

2. It is observed that the tax effect in this appeal is less than Rs. 20 lakhs and therefore the Circular No. 3/2018 dated 11.07.2018 issued by the Central Board of Direct Taxes (CBDT) in exercise of its power vested under Sec. 268A(1) of the I.T. Act comes into play, wherein, the monetary limit for filing the appeals by the Revenue before the ITAT and various

High Courts as well as Apex Court are revised with an object of reducing the tax litigation. Vide para 3 of the said circular (supra), it is stated that in cases where the tax effect in the appeal to be filed before the Appellate Tribunal does not exceed Rs. 20 lakhs, appeal should not be filed. Thus, taking a note of CBDT Circular No. 03/2018 dated 11.07.2018 and considering the fact that the tax effect in the instant appeal is less than Rs. 20 lakhs, the present appeal deserves to be dismissed as not maintainable. However, we make it clear that the issue(s) raised in the instant appeal is left open to be examined in the appropriate proceedings, if arises, in future. At the same time, we also make it clear that if the appeal falls in any of the exceptions referred to in the above said CBDT Circular, the Revenue is at liberty to move an application for recalling the order, if so, advised.

3. Accordingly in the light of CBDT Circular No. 03/2018 dated 11.07.2018, the appeal stands dismissed.

4. In the result, the appeal filed by the Revenue is dismissed.

Order pronounced on this 31st day of July, 2018.

Sd/-
(George George K)
JUDICIAL MEMBER

Sd/-
(Chandra Poojari)
ACCOUNTANT MEMBER

Cochin ; Dated : 31st July, 2018.
Devdas*

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent.
3. The Pr.CIT, Kochi.
4. The CIT(Appeals)-I, Kochi.
5. DR, ITAT, Cochin
6. Guard file.

BY ORDER,

(Asstt. Registrar)
ITAT, Cochin