

**IN THE INCOME TAX APPELLATE TRIBUNAL
KOLKATA BENCH "B" KOLKATA**

Before **Shri Aby.T Varke, Judicial Member** and
Shri Waseem Ahmed, Accountant Member

ITA No.643/Kol/2010 Assessment Year :2005-06
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M/s MPS Greenery Developers Ltd., C/o Salarpuria Jajodia & Co., 7, C.R Avenue, Kolkata- 700 072 [PAN No. AAGFM 3153 N]	V/s.	JCIT, Range-2, Midnapore, West Bengal
अपीलार्थी /Appellant	..	प्रत्यर्थी/Respondent

अपीलार्थी की ओर से/By Appellant	None
प्रत्यर्थी की ओर से/By Respondent	Shri John Vincent Donkumar Langstich, CIT-DR
सुनवाई की तारीख/Date of Hearing	08-02-2017
घोषणा की तारीख/Date of Pronouncement	08-02-2017

आदेश /ORDER

PER Waseem Ahmed, Accountant Member:-

This appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-XIX, Kolkata dated 12.03/15.03.2010 pertaining to assessment year 2005-06.

2. The appeal was fixed for hearing on 06.02.2017 but nobody appeared on behalf of the assessee again the case was adjourned and fixed for hearing today i.e. on 08.02.2017 and nobody attended on behalf of the assessee nor any adjournment application has been received. It seems that the assessee is not interested to prosecute its matters.

3. Considering the facts and the provisions of Rule 19(2) of the ITAT Rules as was considered in the case of *CIT Vs. Multiplan India Pvt.Ltd.*, 38 ITD 320, we treat the appeal as un-admitted. We further add that in case the assessee is serious in pursuing the appeal filed, so assessee would be at liberty to pray for a recall of this order by moving an appropriate petition, as per law

4. **In the result, the appeal filed by the assessee is dismissed in limine.**

Order pronounced in the open court 08/02/2017

Sd/-
(Aby. T. Varke)
(Judicial Member)
Kolkata,

Sd/-
(Waseem Ahmed)
(Accountant Member)

*Dkp

दिनांक:- 08/02/2017 कोलकाता ।

आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-

1. अपीलार्थी/Appellant-M/s MPS Greenery Developers Ltd., C/o Salaarpuria Jajodia & Co.
7, C.R. Avenue, Kolkta-72
2. प्रत्यर्थी/Respondent-JCIT, Range-2, Midnapore, West Bengal
3. संबंधित आयकर आयुक्त / Concerned CIT Kolkata
4. आयकर आयुक्त- अपील / CIT (A) Kolkata
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, कोलकाता / DR, ITAT, Kolkata
6. गार्ड फाइल / Guard file.

By order/आदेश से,

/True Copy/

उप/सहायक पंजीकार
आयकर अपीलीय अधिकरण,
कोलकाता ।