

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'E', NEW DELHI**

**BEFORE SHRI J. SUDHAKAR REDDY, ACCOUNTANT MEMBER
AND SMT. BEENA A PILLAI, JUDICIAL MEMBER**

**ITA No. 3545/Del/2012
AY: 2004-05**

ACIT, Central Circle-12, Room No. 330, ARA Centre, Jhandewalan Extn. New Delhi.	vs.	Sh. Mukesh Garg, 292, Katra Peran, Tilak Bazar, New Delhi – 110 006. PAN: AAAPG2585Q
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(Appellant)

(Respondent)

Appellant by : Dr. Prabha Kant, CIT (DR)
Respondent by : None

ORDER

PER J. SUDHAKAR REDDY, ACCOUNTANT MEMBER

This is an appeal filed by the Revenue. Admittedly the tax effect in this appeal by the Revenue is less than Rs.10 lakhs.

1.1. In terms of CBDT Circular No.21/2015 dated 10th December,2015, F.No. 279/Misc./142/2007-ITJ(Pt.) read with S.268 A of the Income Tax Act 1961, this appeal by the Revenue should have been withdrawn or should not have been pressed by the Revenue.

2. In view of the above this appeal by the Revenue is dismissed in limine.

3. In the result Revenue's appeal is dismissed in limine.

Order pronounced in the Open Court on 26th April, 2016.

sd/-
(BEENA A PILLAI)
JUDICIAL MEMBER

sd/-
(J. SUDHAKAR REDDY)
ACCOUNTANT MEMBER

Dated: the 26th April, 2016

- *Manga*

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1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR, ITAT

- TRUE COPY -

By Order,

ASSISTANT REGISTRAR