

आयकर अपीलिय अधिकरण, मुंबई न्यायपीठ "बी" मुंबई
IN THE INCOME TAX APPELLATE TRIBUNAL "B" BENCH, MUMBAI
BEFORE S/SHRI B.R.BASKARAN, AM AND AMARJIT SINGH, JM

आयकर अपील सं./I.T.A. No.3637/Mum/2012

(निर्धारण वर्ष / Assessment Year: 2008-09)

Shri Bharat Mahesh Malhotra, Flat No.A/103/104, Ankur Enclave, Vijay Park, Near Amber Plaza Hall, Mira Road (E), Dist.-Thane	बनाम/ Vs.	Income Tax Officer, Ward 2(1), Thane
(अपीलार्थी /Appellant)	..	(प्रत्यर्थी / Respondent)

स्थायी लेखा सं./जीआइआर सं./PAN. :AKBPM4982G

अपीलार्थी ओर से / Appellant by	None
प्रत्यर्थी की ओर से/Respondent by	Shri S K Mishra

सुनवाई की तारीख / Date of Hearing : 30.12.2015

घोषणा की तारीख /Date of Pronouncement: 1.1.2016

आदेश / ORDER

Per B R Baskaran, AM:

The appeal of the assessee is directed against the order dated 4.11.2011 passed by Ld CIT(A)-II, Thane and it relates to the assessment year 2008-09. None appeared on behalf of the assessee even though the notice of hearing was sent to the assessee by RPAD on more than one occasion. Hence, we proceed to dispose of the appeal ex-parte, without the presence of the assessee.

2. We heard Ld D.R and perused the record. The appeal is barred by limitation by 140 days. The registry has issued a defect memo and till date the assessee has not rectified the defects nor did he move any

petition requesting the bench to condone the delay, even though the appeal was filed way back on 22.5.2012. Under these circumstances, the defective appeal cannot be admitted and accordingly we dismiss the appeal in limine, as unadmitted.

3. In the result, the appeal filed by the assessee is dismissed.

Pronounced accordingly on 1st Jan,2016.

घोषणा खुले न्यायालय में दिनांक: 1st Jan, 2016 को की गई ।

Sd
(AMARJIT SINGH)
JUDICIAL MEMBER

sd
(B.R. BASKARAN)
ACCOUNTANT MEMBER

मुंबई Mumbai: 1st Jan, 2015.

व.नि.स./ SRL , Sr. PS

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त(अपील) / The CIT(A)- concerned
4. आयकर आयुक्त / CIT concerned
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /
DR, ITAT, Mumbai concerned
6. गार्ड फाईल / Guard file.

True copy

आदेशानुसार/ BY ORDER,

सहायक पंजीकार (Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई /ITAT, Mumbai