

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH: 'SMC-I' NEW DELHI**

BEFORE SMT DIVA SINGH, JUDICIAL MEMBER

**I.T.A .No.-2221/Del/2016
(ASSESSMENT YEAR-2011-12)**

Prakash Chand, Prop. M/s. Khem Ram Devi Sahai, C/o-Naman Sharma, Adv., S/o-Sh.V.K.Sharma, Adv., H.No.-6863, Bas Sitab Rai, Rewari-123401. PAN-AAQPC3061R (APPELLANT)	Vs	ITO, Ward-1, Rewari (RESPONDENT)
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Assessee by	None
Revenue by	Sh.F.R.Meena, Sr.DR
Date of Hearing	08.11.2016
Date of Pronouncement	28.12.2016

ORDER

The present appeal has been filed by the assessee assailing the correctness of the order dated 16.03.2016 of CIT(A), Rohtak pertaining to 2012–13 assessment year on various grounds.

2. However, at the time of hearing, no one was present on behalf of the assessee. The appeal was passed over thrice. In the fourth round, an adjournment petition stated to have been faxed was placed on record stating that the counsel was suffering from Chikungunya. It was noticed that neither the application mentions the name of the counsel nor is the name of the applicant mentioned in the application. Since no one was present in support of the adjournment and considering the fact that the defects pointed out by the Registry on 10.05.2016 till date remained not cured; and the fact that the appeal which came up for hearing on 22.09.2016 on which date the assessee moved an adjournment. In these circumstances, where the assessee still has not cured the defect till date the adjournment petition moved by an un-named person for an un-named counsel was rejected as it can be safely presumed that the assessee is not serious in pursuing the appeal filed. While so holding liberty is given to the assessee incase the assessee is serious in pursuing the present appeal to pray for a recall of this order on the undertaking that the defect shall be cured The said order was pronounced on the date of hearing itself in the open Court.

3. In the result, the appeal of the assessee is dismissed in limine.

The order is pronounced in the open court on 28th of December, 2016.

Sd/-

**(DIVA SINGH)
JUDICIAL MEMBER**

Amit Kumar

**I.T.A .No.-2221/Del/2016
Prakash Chand vs ITO**

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR
ITAT NEW DELHI