

IN THE INCOME TAX APPELLATE TRIBUNAL
AHMEDABAD "A" BENCH AHMEDABAD

BEFORE, SHRI S. S. GODARA, JUDICIAL MEMBER
AND SHRI AMARJIT SINGH, ACCOUNTANT MEMBER

ITA No. 2430/Ahd/2014
(Assessment Year: 2008-09)

Assistant Commissioner of Income-tax,
Circle-5, 5th Floor, Aayakar Bhavan,
Race Course Circle, Baroda-390007

Appellant

Vs.

Shree Co-operative Bank Ltd.,
111, Sakar Complex, Sanstha
Vasahat, Raopura, Baroda-390001

Respondent

PAN: AAAAS3180N

राजस्व की ओर से/By Revenue : Shri Prasoon Kabra, Sr. D.R.
आवेदक की ओर से/By Assessee : Written Submission
सुनवाई की तारीख/Date of Hearing : 07.09.2017
घोषणा की तारीख/Date of
Pronouncement : 27.09.2017

ORDER

PER S. S. GODARA, JUDICIAL MEMBER

This Revenue's appeal for assessment year 2008-09 arises against the CIT(A)-V, Baroda's order dated 29.06.2014, in case no. CAB/(A)V/216/13-14, in proceedings u/s. 143(3) r.w.s. 263 of the Income Tax Act, 1961; in short "the Act".

2. The Revenue's substantive ground pleaded in the instant appeal challenges the CIT(A)'s order inter alia restricting the addition of Rs.9,95,299/-. There is no dispute that the net tax effect in the instant appeal is less than Rs.10 lacs. We find that the Central Board of Direct Taxes; hereafter the 'Board' has issued the circular no. 21/2015 dated 10.12.2015 clearly envisaging therein that department's pending

appeals before the tribunal/high courts are to be withdrawn/not pressed as per the above stated circular. The same has been declared to be having retrospective effect in other words. We take into consideration the above stated Board's circular and dismiss the instant appeal accordingly.

3. This Revenue's appeal is dismissed as having low tax effect.

[Pronounced in the open Court on this the 27th day of September, 2017.]

Sd/-
(AMARJIT SINGH)
ACCOUNTANT MEMBER
Ahmedabad: Dated 27/09/2017

Sd/-
(S. S. GODARA)
JUDICIAL MEMBER

True Copy

S.K.SINHA

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

1. राजस्व / Revenue
2. आवेदक / Assessee
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त- अपील / CIT (A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, अहमदाबाद /
DR, ITAT, Ahmedabad
6. गार्ड फाइल / Guard file.

By order/आदेश से,

उप/सहायक पंजीकार
आयकर अपीलीय अधिकरण, अहमदाबाद ।