

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH “SMC”, NEW DELHI
BEFORE SHRI R. K. PANDA, ACCOUNTANT MEMBER**

**ITA No.3808/Del/2017
Assessment Year : 2009-10**

Deepak Rana, B-1, Vishal Chambers, P-1, Sector-18, Noida, Noida, Uttar Pradesh.	Vs.	ITO, Ward- 65(5), New Delhi.
PAN : ADZPR1965K		
(Appellant)		(Respondent)

Assessee by : None
Department by : Ms. Yamini, Sr.DR
Date of hearing : 22-11-2017
Date of pronouncement : 22-11-2017

ORDER

PER R. K. PANDA, AM :

This appeal filed by the assessee is directed against the order dated 28.02.2017 of CIT(A)- 32, New Delhi relating to assessment year 2009-10.

2. Despite service of notice, none appeared on behalf of the assessee at the time of hearing nor any petition seeking adjournment of the case has been filed. This type of attitude on the part of the assessee shows that he is not interested in prosecuting the appeal filed by him. Therefore, following the decision of the Tribunal in the case of Multiplan (India) Ltd. reported in 38 ITD 320 and the decision of the Hon'ble Madhya Pradesh High Court in the case of Late Tukojirao Holkar reported in 223 ITR 480 (MP), the appeal filed by the assessee is dismissed in-limine. However, if the assessee through proper

application can justify such non-appearance on the date of hearing, the Tribunal may at its discretion recall the order.

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

Order pronounced in the open Court at the time of hearing itself i.e. on this 22nd day of November, 2017.

Sd/-
(R. K. PANDA)
ACCOUNTANT MEMBER

Dated: 22-11-2017.

Sujeet

Copy of order to: -

- 1) The Appellant
- 2) The Respondent
- 3) The CIT
- 4) The CIT(A)
- 5) The DR, I.T.A.T., New Delhi

By Order

//True Copy//

Assistant Registrar
ITAT, New Delhi