

आयकर अपीलिय अधीकरण, न्यायपीठ – “C” कोलकाता,  
*IN THE INCOME TAX APPELLATE TRIBUNAL  
KOLKATA BENCH “C” KOLKATA*

Before **Shri S.S.Godara, Judicial Member** and  
**Shri, M. Balaganesh, Accountant Member**

**ITA No.86/Kol/2017**  
Assessment Year :2011-12

M/s Shri Balaji Metals & Minerals Pvt. Ltd., 23A, N.S. Road, 3 <sup>rd</sup> Floor, Room No. 6, Kolkata-001 <b>[PAN No.AAICS 1619 J]</b>	<b>V/s.</b>	DCIT, Circle-5, Aayakar Bhawan, P-7, Chowringhee Square, Kolkata-005
अपीलार्थी /Appellant	..	प्रत्यर्थी/Respondent

अपीलार्थी की ओर से/By Appellant	None
प्रत्यर्थी की ओर से/By Respondent	Shri Sanjay Mukherjee, Addl. CIT-DR
सुनवाई की तारीख/Date of Hearing	11-06-2018
घोषणा की तारीख/Date of Pronouncement	13-06-2018

**आदेश /ORDER**

**PER S.S.Godara, Judicial Member:-**

This assessee's appeal for assessment year 2011-12 arises against the Commissioner of Income Tax (Appeals)-2, Kolkata's order dated 25.10.2016, in proceedings u/s 143(3) of the Income Tax Act, 1961.

2. Case called twice. None appears at the assessee's behest. The registry has already sent it an RPAD notice dated 25.04.2018. The same has been received back unserved. We thus proceed ex parte against the appellant assessee in the instant case. We quote hon'ble Delhi high court's decision(s) in the case of CIT vs. Multiplan (I) Ltd. reported in 38 ITD 320 (Del), Estate of

Late Tukjirao Holkar vs. CWT 223 ITR 480(MP), New Diwaan Oil Mills vs. B.N. Bhattacharjee & another 296 ITR 495 (SC) that a litigant has not only to file an appeal but has to prosecute the same diligently.

3. This appeal is dismissed for non prosecution.

Order pronounced in the open court 13/06/2018

Sd/-

(लेखा सदस्य)

(M.Balaganesh)

(Accountant Member)

Kolkata,

\*Dkp, Sr.P.S

दिनांक:- 13/06/2018 कोलकाता ।

Sd/-

(न्यायिक सदस्य)

(S.S.Godara)

(Judicial Member)

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

1. अपीलार्थी/Appellant-M/s Balaji Metals & Minerals Pvt. Ltd.23, N.S. Road, 3<sup>rd</sup>, Floor, Room No.6 Kolkata-700 001
2. प्रत्यर्थी/Respondent-DCIT, Cir-5, Aayakar Bhawan, P-7, Chowringhee Sq. Kolkata-69
3. संबंधित आयकर आयुक्त / Concerned CIT Kolkata
4. आयकर आयुक्त- अपील / CIT (A) Kolkata (sent through e-mail)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, कोलकाता / DR, ITAT, Kolkata (sent e-mail)
6. गार्ड फाइल / Guard file.

By order/आदेश से,

Sr. Private Secretary, Head of  
Office/DDO

आयकर अपीलीय अधिकरण,

कोलकाता ।