

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH: 'B' NEW DELHI**

**BEFORE SHRI R.K.PANDA, ACCOUNTANT MEMBER
&
SHRI SUDHANSHU SRIVASTAVA, JUDICIAL MEMBER**

**ITA No.-2746/Del/2015
(Assessment Year: 2010-11)**

ACIT Curcle Bulndshahr	vs	Zila Sahkari Bank Ltd. Moti Bagh Bulandshahr PAN : AAAZ0005B
Assessee by		Sh. P.S.Kashyap, CA
Revenue by		Sh. Vijay Kr. Jiwani, Sr. DR

Date of Hearing	31.07.2018
Date of Pronouncement	31.07.2018

ORDER

PER SUDHANSHU SRIVASTAVA, J.M.

This appeal has been preferred by the department against order dated 23.02.2014 passed by the Ld. CIT(A), Ghaziabad for assessment year 2010-11 wherein vide the impugned order the Ld. CIT(A) has deleted the disallowance of Rs. 20,22,600/- being dividend income which was claimed as exempt by the assessee in its return of income but the same was disallowed by the Assessing Officer. The tax in dispute is Rs. 7,06,130/-. Admittedly, the tax is less than the prescribed limit for preferring appeals before the ITAT by the Income Tax department in view of Circular No. 3/2018 dated 11.07.2018 and the

material available on record, the Ld. Sr. DR could not point out if this case fell under any of the exceptions as provided in the aforesaid Circular. We also find that the aforesaid Circular makes it very clear that the revised monetary limits shall apply retrospectively to pending appeals also. Hence, we hold that the appeal of the revenue deserves to be dismissed in terms of low tax effect vide Circular No. 3/2018 dated 11.07.2018. Accordingly, this being a low tax effect case, we dismiss this appeal of revenue *in limine*, as un-admitted, without going into the merits of the case.

3. In the result, the appeal of the revenue is dismissed.

Order pronounced in the open court on 31.07.2018

Sd/-

(R.K.PANDA)
ACCOUNTANT MEMBER

Dated: 31.07.2018

BR

Sd/-

(SUDHANSHU SRIVASTAVA)
JUDICIAL MEMBER

Copy forwarded to:

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

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ASSISTANT REGISTRAR

ITAT NEW DELHI