

**IN THE INCOME TAX APPELLATE TRIBUNAL  
VISAKHAPATNAM BENCH, VISAKHAPATNAM**

**BEFORE SHRI V. DURGA RAO, HON'BLE JUDICIAL MEMBER &  
SHRI D.S. SUNDER SINGH, HON'BLE ACCOUNTANT MEMBER**

**ITA No. 447/VIZ/2016  
(Asst. Year : 2006-07)**

- 1 ACIT, Circle-2(1), Vs. M/s. Sri Luxmi Tulasi Agro  
Rajamahendravaram Paper Pvt. Ltd., 25-2-20,  
Jayakrishnapuram,  
Rajahmundry
- PAN No. AA ECS 2798 B

**C.O.No. 54/VIZ/2018  
(Arising out of ITA No. 447/VIZ/2016)  
(Asst. Year : 2006-07)**

- 2 M/s. Sri Luxmi Tulasi Agro Vs. ACIT, Circle-2(1),  
Paper Pvt. Ltd., 25-2-20, Rajamahendravaram.  
Jayakrishnapuram,  
Rajahmundry
- PAN No. AA ECS 2798 B

**WTA No. 11/VIZ/2018  
(Asst. Year : 2010-11)**

3. JCWT, Central Circle -2, Vs. Subhash Bhararia,  
Visakhapatnam. D.No. T 1, Lovren Residency,  
Kirlampudi Layout,  
Visakhapatnam.
- PAN No. ABLPB 6829 Q

**C.O.No. 40/VIZ/2018**  
**(Arising out of WTA No. 11/VIZ/2018)**  
**(Asst. Year : 2010-11)**

4. Subhash Bhararia, Vs. JCWT, Central Circle -  
D.No. T 1, Lovren 2, Visakhapatnam.  
Residency, Kirlampudi  
Layout, Visakhapatnam.

PAN No. ABLPB 6829 Q

**ITA No. 192/VIZ/2018**  
**(Asst. Year : 2010-11)**

- 5 ACIT, Circle-1(1), Vs. K.V. Ramakrishna Rao,  
Rajahmundry. D.No. 6-12-18, Main Road,  
Narsapur, W.G. District.

PAN No. AGXPK 5879 Q

**C.O.No. 55/VIZ/2018**  
**(Arising out of ITA No. 192/VIZ/2018)**  
**(Asst. Year : 2010-11)**

- 6 K.V. Ramakrishna Rao, Vs. ACIT, Circle-1(1),  
D.No. 6-12-18, Main Road, Rajahmundry.  
Narsapur, W.G. District.

PAN No. AGXPK 5879 Q

Assessee by : Shri G.V.N. Hari – Advocate.  
Department By : Shri K.C. Das – Sr.DR

Date of hearing : 11/08/2018.  
Date of pronouncement : 21/08/2018.

## **ORDER**

### **PER BENCH**

The above listed appeals at the instance of the Revenue and the Cross Objections at the instance of the assesseees are directed against the respective impugned orders passed by the respective Id. Commissioner of Income Tax (Appeals) & Id. Commissioner of Wealth Tax (Appeals) for respective Assessment Years as indicated above.

**2.** In all the above appeals, the tax effect pertaining to the amount disputed by the Revenue is less than the monetary limit of Rs. 20 lakhs fixed by the CBDT in Circular No. 03/2018, dated 11/07/2018, which is in supersession of its Circular No. 21/2015 dated 10/12/2015, in relation to filing of appeals before the Income Tax Appellate Tribunal. Taking into consideration the above, and also the fact that the CBDT Circular under reference applies retrospectively even to pending appeals, we hold that the above listed appeals filed by the Revenue are not maintainable and liable to be dismissed *in limine*.

**3.** At the time of hearing, Id. counsel for the assessee has submitted that he doesn't want to press the Cross Objections. To

this, no objection from other side. In view of the submission made by the assessee's counsel, the Cross objections filed by the assessee are dismissed as not pressed.

4. In the result, the above listed appeals of the Revenue are dismissed and Cross Objections of the assessee are also dismissed as not pressed.

Order Pronounced in open Court on this 26<sup>th</sup> day of August, 2018.

Sd/-  
**(D.S. SUNDER SINGH)**  
Accountant Member

sd/-  
**(V. DURGA RAO)**  
Judicial Member

**Dated : 21<sup>st</sup> August, 2018.**

**vr/-**

*Copy to:*

1. *The Assessee*
  - a) M/s. Sri Luxmi Tulasi Agro Paper Pvt. Ltd., 25-2-20, Jayakrishnapuram, Rajahmundry
  - b) Subhash Bhararia, D.No. T 1, Lovren Residency, Kirlampudi Layout, Visakhapatnam.
  - c) K.V. Ramakrishna Rao D.No. 6-12-18, Main Road, Narsapur, W.G. District.
2. *The Revenue*
3. *The CIT*
4. *The CIT(A)*
5. *The D.R.*
6. *Guard file.*

By order

(VUKKEM RAMBABU)  
Sr. Private Secretary,  
ITAT, Visakhapatnam.