

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCHES: 'C', NEW DELHI**

**BEFORE SHRI RS SYAL, VICE PRESIDENT
AND SMT. BEENA A PILLAI, JUDICIAL MEMBER**

**ITA No. 1017/Del/2012
A.Y. 2003-04**

ITO, Ward 12(4) Room No.331 C.R.Building New Delhi	vs.	M/s High Sky Finances & Investment Pvt.Ltd. 40, Pocket CIT(A)-2, Sector-11 Rohini New Delhi 110 085
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**Cross Objection No.157/Del/2012
(In ITA No.1017/Del/2012)**

A.Y. 2003-04

M/s High Sky Finances & Investment Pvt.Ltd. New Delhi 110 085	vs.	ITO, Ward 12(4) Room No.331 C.R.Building New Delhi
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(Appellant)

(Respondent)

Department by	Shri F.R.Meena, Sr.D.R.
Assessee by	Sh. V.Raj Kumar, Adv.
Date of Hearing	20/09/2018
Date of Pronouncement	20/09/2018

ORDER

PER BEENA A PILLAI, JUDICIAL MEMBER

The appeal is filed by Revenue against order dated 08.12.2011 of Ld.CIT(A)-XV, New Delhi in relation to A.Y. 2003-04. Assessee has filed Cross Objection. Admittedly the tax effect in the present appeal is less than Rs.20 lakhs.

2. In terms of CBDT Circular No. 03 of 2018, dated 11th July, 2018 read with S.268A of the Income Tax Act, 1961, the Revenue should have either

not filed the present appeal, or should have withdrawn the same, as tax effect in this appeal is admittedly less than Rs. 20,00,000/-.

3. In view of the above, the appeal filed by Revenue is dismissed.

4. As we have dismissed revenue's appeal, the Cross Objection filed by assessee becomes 'infructuous' and is dismissed as such.

5. In the result, appeal filed by Revenue as well as the C.O. filed by assessee both are dismissed.

Order pronounced in the Open Court on 20th September, 2018.

Sd/-

(R.S.SYAL)
VICE PRESIDENT

Sd/-

(BEENA A PILLAI)
JUDICIAL MEMBER

Dt. 20th September, 2018

*Gmv

Copy forwarded to: -

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR, ITAT

- TRUE COPY -

By Order,

ASSISTANT REGISTRAR
ITAT Delhi Benches

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