

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

**BEFORE SHRI N.S.SAINI, ACCOUNTANT MEMBER**

**ITA No.-2306/Del/2018  
(Assessment Year: 2009-10)**

Jai Singh G B Nagar VIII-Salarpur, Sector 101, Dadri Distt.- Goutam Budh Nagar, Noida Uttar Pradesh PAN : BIFPS0253K	vs	ITO, Ward-1(5) Noida
<b>Assessee by</b>	<b>None</b>	
<b>Revenue by</b>	<b>Shri P.S.Thuingu Leny, Sr. DR</b>	

<b>Date of Hearing</b>	<b>13.12.2018</b>
<b>Date of Pronouncement</b>	<b>17.12.2018</b>

**ORDER**

**PER N.S.SAINI, ACCOUNTANT MEMBER :**

This is an appeal filed by the assessee against the order of Commissioner of Income Tax (Appeals)-1, Noida dated 29.12.2017 for assessment year 2009-10.

2. Notice of hearing was sent to the assessee by registered post with acknowledgement due on 17.09.2018 fixing the date of hearing on 13.12.2018 at the address provided by the assessee in Form no. 36.

3. The said notice has been returned back by the postal authorities with the remarks "incorrect address". The assessee has not informed the registry about any change in address of

the assessee. This shows that the assessee is not interested in pursuing with the appeal. Therefore, the appeal of the assessee is dismissed.

4. Before parting with the order I would like to state that if advised the assessee may file an application to the Tribunal explaining the reason for non-service of the notice by postal authorities at the address provided by him in the appeal memo in Form No. 36. The Tribunal if satisfied by the explanation of the assessee may recall its order for hearing the appeal on merits.

5. In the result, appeal of the assessee is dismissed.

**Order pronounced in the Court on 17<sup>th</sup> December, 2018  
at New Delhi.**

**Sd/-  
(N.S.SAINI)  
ACCOUNTANT MEMBER**

Dated: 17.12.2018  
\*BR\*

Copy forwarded to:

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

TRUE COPY

ASSISTANT REGISTRAR  
ITAT, NEW DELHI

Date of dictation	13.12.2018
Date on which the typed draft is placed before the dictating Member	14.12.2018
Date on which the typed draft is placed before the Other Member	.12.2018
Date on which the approved draft comes to the Sr. PS/PS	17.12.2018
Date on which the fair order is placed before the Dictating Member for pronouncement	17.12.2018
Date on which the fair order comes back to the Sr. PS/PS	.12.2018
Date on which the final order is uploaded on the website of ITAT	
Date on which the file goes to the Bench Clerk	
Date on which the file goes to the Head Clerk	
The date on which the file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	