

**IN THE INCOME TAX APPELLATE TRIBUNAL  
(DELHI BENCH 'D' : NEW DELHI)**

**BEFORE SHRI KULDIP SINGH, JUDICIAL MEMBER  
AND  
SHRI A.N.MISSHRA, ACCOUNTANT MEMBER**

**ITA NO.6109/Del./2014  
(ASSESSMENT YEAR : 2011-12)**

Cane Development Council, Mansoorpur , C/o. DS Kohli, Adv. F-06, 1 <sup>st</sup> Floor, Narayan Tower, Gandhi Lane, Golghar Gorakhpur Uttar Pradesh <b>PAN : AAALC0282C</b> (APPELLANT)	vs.	DCIT Circle-1  Muzaffarnagar  (RESPONDENT)
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ASSESSED BY : None  
REVENUE BY : Ms. Ashima Neb, Sr. DR

Date of Hearing : 13.12.2018  
Date of Order : 13.12.2018

**ORDER**

**PER KULDIP SINGH, JUDICIAL MEMBER :**

The appellant, Cane Development Council, Mansoorpur by filing the present appeal, sought to set aside the impugned order dated 25/06/2014 passed by Ld. CIT(A), Muzaffarnagar qua the assessment year 2011-12.

2. In the aforesaid appeal, notice was sent through RPAD to the assessee for hearing on 17/09/2018 and the case was adjourned to 13/12/2018. The next date of hearing i.e. 13/12/2018 was informed

to both the parties in the open court, but the appellant has not preferred to put in his appearance himself or through his authorized representative nor sent any request for adjournment. So, it is apparent on record that the appellant is not interested in prosecution of the present appeal.

3. Keeping in view the legal position that mere issuance of notice does not amount to admission of appeal and this issue has been squarely decided by Hon'ble ITAT in the case of CIT vs. Multiplan (India) Pvt. Ltd. 38 ITD 320 (Del.), the present appeal is hereby dismissed for want of prosecution with liberty to the assessee to file an application to recall the order subject to demonstrate that he was prevented by sufficient cause from putting his appearance at the time of hearing.

4. In view of above, appeal filed by assessee is dismissed as unadmitted for want of prosecution.

**Order pronounced in open court on this 13<sup>th</sup> day of December, 2018.**

**Sd/-  
(A.N.MISSHRA)  
ACCOUNTANT MEMBER**

**Sd/-  
(KULDIP SINGH)  
JUDICIAL MEMBER**

**Dated the 13<sup>th</sup> day of November, 2018**  
BR

Copy forwarded to:  
1.Appellant

- 2.Respondent
- 3.CIT
- 4.CIT
- 5.CIT(ITAT), New Delhi.

AR, ITAT  
NEW DELHI.

Date of dictation	13.12.2018
Date on which the typed draft is placed before the dictating Member	13.12.2018
Date on which the typed draft is placed before the Other Member	
Date on which the approved draft comes to the Sr. PS/PS	
Date on which the fair order is placed before the Dictating Member for pronouncement	
Date on which the fair order comes back to the Sr. PS/PS	
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	