

**In the Income-Tax Appellate Tribunal,
Delhi Bench 'G', New Delhi**

**Before : Shri K.N. Chary, Judicial Member And
Shri M.L. Meena, Accountant Member**

**ITA No. 1265/Del/2018
Assessment Year: 2008-09**

Dinesh Kumar, C-253, Tanki Road, Harsh Vihar, New Delhi. PAN- AZUPS 0042D (Appellant)	vs.	Income-tax Officer, Ward 15(3), New Delhi (Respondent)
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Appellant by	None
Respondent by	Sh. S.L. Anuragi, Sr. DR

Date of Hearing	26.12.2018
Date of Pronouncement	27.12.2018

ORDER

Per Dr. M.L. Meena, A.M.:

This appeal by the assessee is directed against the order of Id. CIT(A)-10, New Delhi dated 29.03.2017 for the assessment year 2008-09.

2. None was present on behalf of the appellant despite the date of hearing was adjourned to 26.12.2018 on the written request of assessee's counsel Shri Ajit Kumar Jha. No adjournment request has come on record before us. Therefore, it can be safely inferred that the assessee is not serious in pursuing its appeal. Our this view further stands garnished from the written application dated 26.12.2018 of assessee's counsel to the effect that no instruction has been given by the assessee to him to prosecute the appeal even after so many

calls made to the assessee. In the circumstances, the only alternative left with us is to dismiss the appeal of the assessee in limine. Support is drawn from the order of Tribunal in CIT vs. Multi Plan India (P) Ltd., 38 ITD 320 (Del.) and of M.P. High Court in Estate of Late Tukoji Rao Holkar vs. CWT, 223 ITR 480 (MP).

3. Before parting, we think it appropriate to add that in case the assessee is able to show reasonable cause for non-representation on the date of hearing, then it may, if so advised, pray for recall of this order and decision on merits.

4. In the result, the appeal of the assessee is dismissed, as indicated above. Order is pronounced in the open court on 27.12.2018.

Sd/-

(K.N. Chary)
Judicial member

Sd/-

(Dr. M.L. Meena)
Accountant Member

Dated:

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Copy of order forwarded to:

<i>(1) The appellant</i>	<i>(2) The respondent</i>
<i>(3) Commissioner</i>	<i>(4) CIT(A)</i>
<i>(5) Departmental Representative</i>	<i>(6) Guard File</i>

By order

*Assistant Registrar
Income Tax Appellate Tribunal
Delhi Benches, New Delhi*