

**INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "SMC": NEW DELHI**

BEFORE SHRI AMIT SHUKLA, JUDICIAL MEMBER

ITA No.:- 2865/Del/2018
Assessment Year: 2009-10

Ratnashri Communication Pvt. Ltd. 10, Sagar Apartments, 6, Tilak Marg, New Delhi -110 001	Vs.	ITO, Ward-21 (1), New Delhi PAN AAACR7138K
(Appellant)		(Respondent)

Assessee by:	None
Department by :	Shri S.L. Anuragi, Sr. DR
Date of Hearing	29/01/2019
Date of pronouncement	29/01/2019

ORDER

The aforesaid appeal has been filed by the assessee against the order of Ld. CIT(Appeals)7, New Delhi vide order dated 21.02.2018 pertaining to assessment year 2009-10.

2. The appeal was fixed for hearing on 13.11.2018 but on the fixed date, none appeared on behalf of the assessee, therefore, the hearing was adjourned to 29.1.2019 and both parties were informed. Today on 29.1.2019, no one was present on behalf of the assessee nor any request for adjournment was placed before the Bench.

3. It appears that the assessee is not interested in the prosecution of appeal. Considering the facts and keeping in view the provisions of Order V Rule 19A of the Income-tax Appellate Tribunal Rules, as were considered in the cases of CIT vs. Multiplan (India) Pvt. Ltd., 38 ITD 320 (Del); and Late Tukoji Rao Holkar, 223 ITR 480 (MP), I dismiss this appeal filed by the assessee. The assessee, if so advised, shall be free to move this Tribunal praying for recalling of this order and explaining the reasons for non-compliance etc. and if the Bench is so satisfied about the reasons etc., then this order shall be recalled.

4. In the result appeal of the assessee is dismissed in limine.

Order pronounced in the open court on 29th January, 2019.

Sd/-

**(AMIT SHUKLA)
JUDICIAL MEMBER**

Dated: 29/01/2019

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1. Applicant
2. Respondent
3. CIT
4. CIT (A)
5. DR:ITAT

ASSISTANT REGISTRAR
ITAT, New Delhi