

IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCHES "SMC", MUMBAI

BEFORE SHRI A.K. GARODIA, ACCOUNTANT MEMBER

ITA No. 3116/Mum/2018
Assessment Year : 2009-10

Shri Danmal Mishramal Mehta, E-1/4, Bharat Nagar Super Cinema Opp: Shalimar, Grant Road, MUMBAI [PAN : AAEPM8951E]	Vs.	Income Tax Officer-19(1)(4), MUMBAI
(Appellant)		(Respondent)

Appellant By : NONE
Respondent By : Shri Vijay Kumar Soni, DR

Date of Hearing : 30-01-2019	Date of Pronouncement : 01-02-2019
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ORDER

This appeal is filed by the assessee and the same is directed against the order of the Commissioner of Income Tax(Appeals)-30 Mumbai, dated 28-12-2017 for the AY. 2009-10.

2. At the outset, it was noticed by the Bench that the appeal is filed after a delay of 12 days and defect memo was issued by the Registry of the Tribunal to the assessee on 17-12-2018. In spite of this, the assessee has not made any

request for condonation of delay and therefore, the delay in filing the appeal cannot be condoned. As a consequence, the appeal of assessee cannot be admitted to be heard and hence, the same is liable to be dismissed as un-admitted. I order accordingly.

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

Order pronounced in the open court on 1st day of February, 2019

Sd/-
(A.K. GARODIA)
लेखा सदस्य/ACCOUNTANT MEMBER

मुंबई/Mumbai; दिनांक/Dated : 1st February, 2019

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent
3. आयकर आयुक्त(अपील) / The CIT(A), Mumbai
4. आयकर आयुक्त / CIT, Mumbai
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /
DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार (Dy./Asst. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai