

**IN THE INCOME TAX APPELLATE TRIBUNAL
'A' BENCH, BENGALURU**

**BEFORE SHRI JASON P BOAZ, ACCOUNTANT MEMBER
and
SHRI PAVAN KUMAR GADALE, JUDICIAL MEMBER**

ITA No.1094/Bang/2016
(Assessment year: 2011-12)

M/s. Gold Enterprise,
No.79/1, 1st Floor,
2nd Cross, Lavelle Road,
Bengaluru-560 001. ... Appellant
PAN:AAGFG9497B

Vs.

Assistant Commissioner of Income-tax,
Circle 6(1),
Bengaluru. ... Respondent

Appellant by : None.
Respondent by : Shri Vikas Suryavamshi, ACIT(DR)

Date of hearing: 04/02/2019
Date of pronouncement: 04/02/2019

O R D E R

Per PAVAN KUMAR GADALE, JM :

The assessee has filed this appeal against the order of the CIT(A)-I, Bengaluru, dated 29/02/2016 for the assessment year 2011-12.

02. At the time of hearing, none appeared on behalf of the assessee nor an adjournment application has been filed. On perusal of records, it was found that the notice of hearing sent by registered letter, fixing the case for hearing on 04/02/2019 was returned by the postal authorities with the remarks 'door locked'. Vakalathnama has been filed on record and on earlier

occasions also, learned AR for assessee sought adjournments. Therefore, we are of the opinion that the assessee is not interested in prosecuting the appeal and accordingly dismiss the appeal for non-prosecution, following the decision of the Delhi Bench of the ITAT in *CIT v. Multiplan India P.Ltd.*, (1991) 38 ITD 320 and of the decision of the Hon'ble Madhya Pradesh High Court in the case of *Estate of late Tukoji Rao Holkar v. CWT* (1997) 223 ITR 480, for non-prosecution.

Order pronounced in the open court on 04th February, 2019.

sd/-

(JASON P BOAZ)

ACCOUNTANT MEMBER

Place : Bengaluru

D a t e : 04/02/2019.

srinivasulu, sps

Copy to :

- 1 Appellant
- 2 Respondent
- 3 CIT(A)-
- 4 CIT
- 5 DR, ITAT, Bangalore.
- 6 Guard file

sd/-

(PAVAN KUMAR GADALE)

JUDICIAL MEMBER

By order

Assistant Registrar
Income-tax Appellate Tribunal
Bangalore