

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH : SMC : NEW DELHI

BEFORE SHRI R.K. PANDA, ACCOUNTANT MEMBER

ITA No.5264/Del/2018
Assessment Year: 2014-15

V. Kumar Estate Pvt. Ltd.,
K-91, 2nd Floor,
Lajpat Nagar II,
New Delhi.

Vs. ITO,
Ward-26(1),
New Delhi.

PAN: AACCN2394M

(Appellant)

(Respondent)

Assessee by : None
Revenue by : Shri S.L. Anuragi, Sr. DR

Date of Hearing : 19.02.2019
Date of Pronouncement : 19.02.2019

ORDER

This appeal by the assessee is directed against the order dated 9th May, 2018 of the CIT(A)-9, New Delhi, relating to Assessment Year 2014-15.

2. This appeal was fixed for hearing on 16th January, 2019 and due to non-appearance on behalf of the assessee, fresh notice was issued through RPAD fixing the case for hearing on 19th February. However, when the name of the assessee was called, none appeared on behalf of the assessee nor any petition seeking adjournment of the case was filed. This type of conduct on the part of the assessee shows that it is not interested in prosecuting the appeal filed by it. Therefore, following the decisions

mentioned below, the appeal filed by the assessee is dismissed for want of prosecution:-

1. CIT vs. B.N. Bhattachargee & Anr., 118 ITR 461.
2. Estate of late Tukojirao Holkar vs. CWT, 223 ITR 480 (M.P.).
3. Commissioner of Income-tax vs. Multiplan India (P.) Ltd, 38 ITD 320 (Del.).

3. However, if the assessee, through proper application, explains the reasons for such non-appearance, the Tribunal may, at its discretion, recall this order.

4. In the result, the appeal filed by the assessee is dismissed *in limine* for want of prosecution.

The decision was pronounced in the open court at the time of hearing itself i.e., on 19.02.2019.

Sd/-

(R.K. PANDA)
ACCOUNTANT MEMFBER

Dated: 19th February, 2019

dk

Copy forwarded to

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asstt. Registrar, ITAT, New Delhi