

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

SHRI R.K. PANDA, ACCOUNTANT MEMBER

ITA No.5740/Del/2018
Assessment Year: 2009-10

Irshad,
S/o Shri Fariyaj Ali,
H.No.231, Muhiddinpur,
Dabarsi,
Ghaziabad.

Vs. ITO,
Ward-1(3),
Ghaziabad.

PAN: FAGPK9635E

(Appellant)

(Respondent)

Assessee by	:	None
Revenue by	:	Ms Rakhi Vimal, Sr. DR
Date of Hearing	:	14.03.2019
Date of Pronouncement	:	14.03.2019

ORDER

This appeal by the assessee is directed against the order dated 20th June, 2018 of the CIT(A), Aligarh, relating to Assessment Year 2009-10.

2. Notice of hearing issued by the Registry through RPAD was returned by the Postal Authorities with the remarks 'No person in the given address.' The assessee has not taken any steps to intimate the changed address, if any. This type of conduct on the part of the assessee shows that he is not interested in prosecuting the appeal field

by him. 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, satisfy the Bench for non-appearance on the date of hearing, 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 14.03.2019.

Sd/-

(R.K. PANDA)
ACCOUNTANT MEMFBER

Dated: 14th March, 2019

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Copy forwarded to

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

Asstt. Registrar, ITAT, New Delhi