

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

**BEFORE SHRI AMIT SHUKLA, JUDICIAL MEMBER
AND
SHRI L.P. SAHU, ACCOUNTANT MEMBER**

ITA No.:- 3678/Del/2016
Assessment Year: 2008-09

Neeraj Jain, 12/40, Raj Nagar, Ghaziabad PAN AAIPJ3549D	Vs.	DCIT Cent. Circle Ghaziabad
(Appellant)		(Respondent)

Assessee by:	None
Department by :	Ms. Nidhi Srivastava, CIT, DR
Date of Hearing	26/03/2019
Date of pronouncement	26/03/2019

ORDER

PER AMIT SHUKLA, J.M.

This is an appeal filed by the assessee against the order of Ld. CIT(Appeals)-IV, Kanpur vide order dated 31.03.2016 pertaining to assessment year 2008-09.

2. However, at the time of hearing no one was present on behalf of the assessee. The appeal was passed over. Despite the same, in the third round also no one was present.

3. A perusal of the record shows that the date of hearing was intimated to the assessee. Despite the same neither anyone was

present nor any request for adjournment was received. From the above it is evident that the assessee is not interested in the prosecution of appeal.

4. 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), we 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.

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

Order pronounced in the open court on 26th March, 2019.

Sd/-

sd/

(L.P. SAHU)
ACCOUNTANT MEMBER

(AMIT SHUKLA)
JUDICIAL MEMBER

Dated: 26/03/2019

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

ASSISTANT REGISTRAR
ITAT, New Delhi