

**IN THE INCOME TAX APPELLATE TRIBUNAL
“C” Bench, Mumbai**

**Before Shri Ravish Sood, Judicial Member
and Shri N.K. Pradhan, Accountant Member**

**ITA No. 4519/Mum/2016
(Assessment Year: 2010-11)**

The DCIT-4(2)(1),
Room No. 642, 6th Floor,
Aayakar Bhavan, M.K. Road,
Mumbai – 400 020

Vs. M/s Philip Capital (India) Pvt. ltd.
No. 1, 2nd Floor, C-Block,
Modern Mills Compound,
101, K.K. Marg, Jacob Circle,
Mahalaxmi,
Mumbai – 400 011

PAN – AABCR6382C

Appellant

Respondent

Appellant by: Shri Abi Rama Kartikiyen, D.R
Respondent by: Shri Nishant Thakkar, A.R

Date of Hearing: 26.03.2019
Date of Pronouncement: 29.03.2019

ORDER

Per Ravish Sood, JM

The captioned appeal filed by the Revenue pertaining to assessment year 2010-11 is directed against the order passed by CIT(A)-9, Mumbai, dated 21.03.2016, which in turn arises from the order passed by the Assessing Officer under Sec.143(3) of the Income Tax Act, 1961 (for short ‘the Act’), dated 10.03.2014.

2. On a perusal of the record, it stands revealed that the tax effect involved in this appeal is less than Rs.20.00 lacs. The Id. Departmental Representative (for short ‘D.R’) on being confronted admitted the said factual position.

3. We find that the CBDT vide its Circular No.03/2018, dated 11/07/2018 has revised the monetary limits for filing of appeals by the Department before the Tribunal, retrospectively. Since the tax effect in

dispute in the captioned appeal is admittedly below the monetary limit of Rs.20.00 lacs specified in the CBDT Circular No. 03/2018, dated 11/07/2018, therefore, the same is dismissed as not maintainable.

4. In the result, appeal of the revenue is dismissed.

Order pronounced in the open court on 29.03.2019

Sd/-

(N.K. Pradhan)
ACCOUNTANT MEMBER

मुंबई Mumbai; दिनांक 29.03.2019

Ps. Rohit

Sd/-

(Ravish Sood)
JUDICIAL MEMBER

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)-
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई /
DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

सत्यापित प्रति //True Copy//

आदेशानुसार/ BY ORDER,

उप/सहायक पंजीकार (Dy./Asstt. Registrar)

**आयकर अपीलीय अधिकरण, मुंबई / ITAT,
Mumbai**

