



IN THE INCOME TAX APPELLATE TRIBUNAL
JABALPUR BENCH, JABALPUR

BEFORE SHRI A. D. JAIN, VICE PRESIDENT
AND SHRI T. S. KAPOOR, ACCOUNTANT MEMBER

ITA No.153/JAB/2018
Assessment Year:2009-10

Shri Vasudeo Khatri Nirmal Colony Barapathar, Seoni	v.	Income Tax Officer Ward, Seoni
TAN/PAN:AHPPK7583A		
(Appellant)		(Respondent)

Appellant by:	None
Respondent by:	Shri P. D. Chougale, D.R.
Date of hearing:	02 04 2019
Date of pronouncement:	03 04 2019

ORDER

PER T. S. KAPOOR, A.M.:

This is assessee's appeal against the order of the Id. CIT(A)-1, Jabalpur, dated 24/4/2018, for assessment year 2011-12.

2. This appeal was taken up for hearing on 2/4/2019, but none appeared on behalf of the assessee, nor any application for adjournment has been filed. Since the assessee did not appear on the date fixed for hearing, it appears that the assessee is not interested in prosecuting the appeal. As such, we hold that the appeal is liable to be dismissed for non-prosecution. In this regard, we place reliance upon the following case laws:-

1. CIT vs. Multiplan India Ltd., 38 ITD 320 (Del)
2. Estate of Late Tukojirao Holkar vs. CWT, 223 ITR 480 (M.P.)
3. New Diwan Oil Mills vs. CIT (2008), 296 ITR 495 (P& H)
4. CIT vs. B. N. Bhattachargee and Another, 118 ITR 461(SC)

3. Respectfully following the view taken in the cases cited (supra), we dismiss the appeal filed by the assessee for non-prosecution. The assessee may, however, get it revived by showing sufficient cause for non-appearance.

4. In the result, appeal of the assessee stands dismissed.

Order pronounced in the open Court on 03/04/2019.

Sd/-
[A. D. JAIN]
VICE PRESIDENT

Sd/-
[T. S. KAPOOR]
ACCOUNTANT MEMBER

DATED:03/04/2019

JJ:0204

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