

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCHES "SMC" : DELHI

BEFORE SHRI BHAVNESH SAINI, JUDICIAL MEMBER

ITA.No.5386/Del./2018
Assessment Year 2015-2016

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| Ajaynath & Sons Faridabad. PAN AANHA2615L C/o. Malhotra Khandelwal & Co. C.As 41-46, Hardware Chowk, Adjoining Government Press, Faridabad – 121001. | vs. | The Income Tax Officer, Ward - 1 (1), Faridabad. |
| (Appellant) | | (Respondent) |

| | |
|----------------|-----------------------------|
| For Assessee : | -None- |
| For Revenue : | Shri S.L. Anuragi, Sr. D.R. |

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|-------------------------|------------|
| Date of Hearing : | 01.05.2019 |
| Date of Pronouncement : | 01.05.2019 |

ORDER

This appeal by Assessee has been directed against the Order of the Ld. CIT(A), Faridabad, Dated 29th June, 2018, for the A.Y. 2015-2016.

2. The assessee has been notified the date of hearing through registered post twice. However, none appeared on behalf of the assessee at the time of hearing of the appeal on both the occasions. It, therefore, appears that

assessee is no more interested in prosecuting the appeal. Therefore, the appeal of the assessee is liable to be dismissed as un-admitted.

3. In view of the above and having regard to Rule 19(2) of Income Tax Appellate Tribunal Rules and following various decisions of Delhi Bench of the Tribunal including that of Multiplan India Ltd., 38 ITD 320 (Del.); Hon'ble Madhya Pradesh High Court decision in the case of Estate of Late Tukojirao Holkar vs. CWT 223 ITR 480 (MP), and also the decision of Hon'ble Supreme Court in the case of CIT vs. B. Bhattachargee & Another (118 ITR 461 at page 477-478) wherein their Lordships held that "*the appeal does not mean, mere filing of the memo of appeal but effectively pursuing the same*". In view of the above, respectfully following the aforecited decisions, we dismiss the appeal of the assessee as un-admitted.

4. In the result, appeal of the Assessee dismissed.

Order pronounced in the open Court.

Delhi, Dated 01st May, 2019

Sd/-
(BHAVNESH SAINI)
JUDICIAL MEMBER

VBP/-

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| 1. | The appellant |
| 2. | The respondent |
| 3. | CIT(A) concerned |
| 4. | CIT concerned |
| 5. | D.R. ITAT 'SMC' Bench, Delhi |
| 6. | Guard File. |

// BY Order //

Assistant Registrar : ITAT Delhi Benches :
Delhi.