

**IN THE INCOME TAX APPELLATE TRIBUNAL  
(DELHI BENCH 'E': NEW DELHI)**

**BEFORE HON'BLE G.D.AGRAWAL, VICE PRESIDENT  
AND  
SHRI KULDIP SINGH, JUDICIAL MEMBER**

**ITA NO.2992/Del./2016, A.Y. 2009-10  
ITA No. 2993/Del./2016, A.Y. 2010-11**

M/s. SMEC International Pvt. Ltd., vs.	DCIT (International Taxation)
C/o. P.K. Bansal & Co.,	Circle – 3(1)(2)
P-39, South Extension-2	
New Delhi	New Delhi

**PAN : AAICS3406K**  
(APPELLANT)

(RESPONDENT)

ASSESSEE BY : None  
REVENUE BY : Smt. Rinku Singh, Addl. CIT-DR  
Date of Hearing : 13.05.2019  
Date of Order : 14 .05.2019

**ORDER**

**PER BENCH :**

The appellant, M/s. SMEC International Pvt. Ltd. (hereinafter referred to as 'the assessee') by filing aforesaid appeals, sought to set aside the impugned order dated 28.03.2016 passed by Ld. CIT(A)-43, New Delhi qua the assessment years 2009-10, 2010-11 respectively.

2. In the aforesaid appeals, notices were sent through RPAD to the assessee for hearing on 28/02/2019 and the cases were adjourned

to 13/05/2019. Notices were again issued to the assessee for the next date of hearing i.e. 13/05/2019 through RPAD, but the appellant has not preferred to put in his appearance himself or through his authorized representative nor sent any request for adjournment. So, it is apparent on record that the appellant is not interested in prosecution of the present appeal.

3. Keeping in view the legal position that mere issuance of notice does not amount to admission of appeal and this issue has been squarely decided by Hon'ble ITAT in the case of CIT vs. Multiplan (India) Pvt. Ltd. 38 ITD 320 (Del.), the present appeal is hereby dismissed for want of prosecution with liberty to the assessee to file an application to recall the order subject to demonstrate that he was prevented by sufficient cause from putting his appearance at the time of hearing.

4. In view of above, both appeal filed by assessee are dismissed as unadmitted for want of prosecution.

**Order pronounced in open court on this 14<sup>th</sup> day of May, 2019.**

**Sd/-  
(G.D.AGRAWAL)  
VICE PRESIDENT**

**Sd/-  
(KULDIP SINGH)  
JUDICIAL MEMBER**

Dated : 14<sup>th</sup> Day of May, 2019

BR

Copy forwarded to:

- 1.Appellant
- 2.Respondent
- 3.CIT
- 4.CIT
- 5.CIT(ITAT), New Delhi.

AR, ITAT  
NEW DELHI.

Date of dictation	13.05.2019
Date on which the typed draft is placed before the dictating Member	13.05.2019
Date on which the typed draft is placed before the Other Member	
Date on which the approved draft comes to the Sr. PS/PS	
Date on which the fair order is placed before the Dictating Member for pronouncement	14.05.2019
Date on which the fair order comes back to the Sr. PS/PS	14.05.2019
Date on which the final order is uploaded on the website of ITAT	14.05.2019
Date on which the file goes to the Bench Clerk	
Date on which the file goes to the Head Clerk	
The date on which the file goes to the Assistant Registrar for signature on the order	
Date of dispatch of the Order	