

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

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

ITA No.:-4062/Del/2016
Assessment Year: 2008-09

Shri Vivek Tyagi, R-15/8, Raj Nagar, Ghaziabad.	Vs.	ITO, Ward – 2(5) Ghaziabad
(Appellant)		(Respondent)

Assessee by:	None
Department by :	Shri F.R. Meena, Sr. DR
Date of Hearing	13/05/2019
Date of pronouncement	13/05/2019

ORDER

PER L.P. SAHU, A.M.

This is an appeal filed by the assessee against the order of Ld. CIT(Appeals)- Ghaziabad vide order dated 30.03.2016 pertaining to assessment year 2008-09.

2. In this case notice was sent to the assessee for hearing by Regd. AD Post for 13.05.2019 at the address mentioned in Form No. 36 vide Colmun No. 10.

3. On 13.5.2019, neither the assessee nor its authorised representative attended the hearing and also not filed any adjournment . It is thus inferred that the assessee is not interested in 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.

This decision was pronounced in the Open Court on 13th May, 2019.

Sd/-

(AMIT SHUKLA)
JUDICIAL MEMBER

Dated: 13/05/2019

Veena

Copy forwarded to

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

sd/-

(L.P. SAHU)
ACCOUNTANT MEMBER

ASSISTANT REGISTRAR
ITAT, New Delhi