

IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCHES "F", MUMBAI

Before Shri Rajesh Kumar, Accountant Member
& Shri Ram Lal Negi, Judicial Member

ITA No.4926/Mum/2018
Assessment Year : 2012-13

Jet Airways Employees Co-Op. Credit Soc. Ltd., 202, Sanjay Appa Chambers, Guru Hargovindji Marg, New Chakala Link Road, Above Punjabi's Kitchen, Andheri (East), Mumbai 400 093 PAN AAAAJ3663K	Vs.	ITO Ward 24(2)(2), Mumbai
(Appellant)		(Respondent)

Appellant By : None
Respondent By : Shri Rajeev Gubgotra

Date of Hearing :07.08.2019	Date of Pronouncement : 07.08.2019
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ORDER

Per Rajesh Kumar, Accountant Member

The captioned appeal filed by the assessee pertaining to A.Y. 2012-13 is directed against the order passed by the CIT(A)-36, Mumbai, dated 28.03.2018 which in turn arises out of an order passed by the Assessing Officer under Section 143(3) of the Income Tax Act, 1961 (hereinafter "the Act") dated 30.03.2015.

2. At the time of hearing none appeared on behalf of the assessee nor was any application filed by the assessee seeking adjournment. We therefore, proceed to dispose of the appeal after hearing the learned DR and on the basis of the material available on record.

3. The learned DR pointed out that the case was heard ex-parte qua the assessee by the learned CIT(A) as the assessee failed to respond or attend the on the dates of hearing. Similarly, the assessee has not shown any compliance before ITAT. The learned DR therefore, prayed that suitable decision may be taken in this regard.

4. We have heard the learned DR and gone through the material available on record. We are of the opinion that it would be in the interest of justice and fair play if the assessee is given one more opportunity to present its case before the CIT(A). Accordingly, we restore the issue to the file of the CIT(A) to decide the appeal as per the facts and law after affording a reasonable opportunity of being heard to the assessee.

5. In the result, the appeal is treated as allowed for statistical purpose.

Above decision was pronounced in the open court at the conclusion of hearing on 7th August, 2019

Sd/-
(Ram Lal Negi)
Judicial Member

Mumbai, Dated: 7th August, 2019

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Sd/-
(Rajesh Kumar)
Accountant Member

Copy of the Order forwarded to :

1. The Appellant.
2. The Respondent.
3. The CIT(A), Mumbai.
4. The CIT
5. The DR, 'F' Bench, ITAT, Mumbai

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BY ORDER,

(Assistant Registrar)
Income Tax Appellate Tribunal, Mumbai