

आयकर अपीलीय अधिकरण, अहमदाबाद न्यायपीठ 'D' अहमदाबाद ।

**IN THE INCOME TAX APPELLATE TRIBUNAL  
"D" BENCH, AHMEDABAD**

**BEFORE SHRI RAJPAL YADAV, JUDICIAL MEMBER  
& SHRI AMARJIT SINGH, ACCOUNTANT MEMBER**

आयकर अपील सं./I.T.A. No. 3516/Ahd/2016

(निर्धारण वर्ष / Assessment Year: 2013-14)

<b>ACIT</b> Circle-1(3), B-109, 1 <sup>st</sup> Floor, Pratyakshyakar Bhavan, Panjrapole, Ambawadi, Ahmedabad- 380015	<b>बनाम/</b> Vs.	<b>M/s. Kifs Securities Ltd.</b> b-81, Pariseema Complex, C G Road, Ahmedabad- 380006
<b>स्थायीलेखासं./जीआइआरसं./PAN/GIR No.:</b> AAA CK6 128 Q		
(अपीलार्थी/Appellant)	..	(प्रत्यर्थी / Respondent)

अपीलार्थी ओर से/Appellant by :	Shri Vinod Tanwani, Sr. DR
प्रत्यर्थीकीओरसे / Respondent by:	Shri M. K. Patel, AR

सुनवाईकीतारीख/Date of Hearing	30/08/2019
घोषणाकीतारीख /Date of Pronouncement	13/09/2019

**आदेश/ORDER**

**PER AMARJIT SINGH - AM:**

The appeal filed by the Revenue for A.Y. 2013-14, arise from order of the CIT(A)-10, Ahmedabad dated 26.10.2016, in proceedings under section 143(3) of the Income Tax Act, 1961; in short "the Act".

2. The ground of appeal raised by the Revenue reads as under:-

"1. That the ld. CIT(A) has erred in law and on facts in deleting the disallowance of depreciation and insurance on motor car of Rs. 12,40,270/- made by the AO.

2. That the ld. CIT(A) erred in law and on facts in restricting the addition of Rs. 13,86,072/- out of total disallowance made by the AO of Rs. 76,59,151/- while calculating the Book Profit u/s. 115JB of the Act.

3. That the ld. CIT(A) has erred in law and on facts in deleting the disallowance of bad debts of Rs. 36,74,000/- made by the AO."

3. At the time of hearing, it was submitted by the Ld.AR for the assessee that appeal filed by the Revenue is hit by recently issued CBDT Circular No.17 of 2019 dated 08/08/2019 revising the previous thresholds pertaining to tax effects. As per aforesaid Circular, all pending appeals filed by Revenue are liable to be dismissed as a measure for reducing litigation where the tax effect does not exceed the prescribed monetary limit which is now revised at Rs.50 Lakhs. In the instant case, the tax effect on the disputed issues raised by the Revenue is stated to be not exceeding Rs.50 lakhs and therefore appeal of the Revenue is required to be dismissed *in limine*.

4. The Learned DR for the Revenue fairly admitted the applicability of the CBDT Circular No. 17 of 2019. Accordingly, appeal of the Revenue is dismissed as not maintainable. However, it will be open to the Revenue to seek restoration of its appeal on showing inapplicability of the aforesaid CBDT Circular in any manner.

5. In the result, the appeal of the Revenue is dismissed.

This Order pronounced in Open Court on	13/09/2019
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Sd/-  
**(RAJPAL YADAV)**  
**JUDICIAL MEMBER**

Ahmedabad: Dated 13/09/2019

TANMAY

TRUE COPY

आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-

1. राजस्व / Revenue
2. आवेदक / Assessee
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त- अपील / CIT (A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, अहमदाबाद / DR, ITAT, Ahmedabad
6. गार्ड फाइल / Guard file.

Sd/-  
**(AMARJIT SINGH)**  
**ACCOUNTANT MEMBER**

By order/आदेश से,

उप/सहायक पंजीकार  
आयकर अपीलीय अधिकरण, अहमदाबाद ।