

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'SMC', NEW DELHI**

BEFORE MRS. DIVA SINGH, JUDICIAL MEMBER

**ITA No.5876/Del/2018
Assessment Year: 2015 -16**

Sh. Sumeet Dhingra, House No.2363, Sector-9, Faridabad.	Vs.	Income Tax Officer, Ward-II(4), Faridabad.
PAN : ACJPD 2647R		
(Appellant)		(Respondent)

Appellant by	None
Respondent by	Sh. Pradeep Singh Gautam, Sr. D.R.
Date of hearing	03.02.2020
Date of pronouncement	06.02.2020

ORDER

The present appeal has been filed by the assessee wherein the correctness of the order dated 29.06.2018 of CIT(A)-Faridabad pertaining to 2015-16 assessment year is assailed.

2. However, at the time of hearing, no one was present on behalf of the assessee. The appeal was passed over despite this in the next round, the assessee still remained unrepresented.

3. On perusal of the record, it is seen that various defects have been pointed out by the Registry numbering seven in all on 12.09.2018 requiring the same to be addressed by the assessee. The record shows that the appeal came for hearing on 29.08.2019. The defect remained uncured. On a reading of the order sheet recording it is seen that it was put to the notice of the Id. AR that the assessee has not complied with the defect notice issued and last opportunity was granted. It is seen that no compliance has been made till date. It is seen that this deficiency as per

record was again pointed out to the assessee on 05.12.2019 when the appeal next came up for hearing. The defects remain. Accordingly, it is presumed that the assessee is not serious in the appeal filed. In view of these facts the appeal is dismissed as defective with the liberty to the assessee to pray for recalling of this order, in the eventuality, the assessee undertakes to cure the defects pointed out by the Registry and addresses the reasons for keeping the defects unattended right from 12.09.2018 till date. The Co-ordinate Bench may then consider the request in accordance with facts and law. Said order was pronounced in the open court at the time of hearing itself.

4. In the result, the appeal of the assessee is dismissed as defective.

**The order is pronounced in the open court at the time of hearing itself
on 06th February, 2020.**

Sd/-
(DIVA SINGH)
JUDICIAL MEMBER

PK/Ps

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR,
ITAT NEW DELHI