

**IN THE INCOME TAX APPELLATE TRIBUNAL  
HYDERABAD BENCHES "A" : HYDERABAD**

**BEFORE SMT. P. MADHAVI DEVI, JUDICIAL MEMBER  
AND  
SHRI A. MOHAN ALANKAMONY, ACCOUNTANT MEMBER**

**I.T.A. No. 1603/HYD/2014**

Assessment Year: 2010-11

Asst. Commissioner of Income Tax, Circle-16(2), HYDERABAD	Vs	M/s. M.S.Agarwal Foundries Pvt. Ltd., SECUNDERABAD [PAN: AAICS4832K]
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**(Appellant)**

**(Respondent)**

For Revenue : Shri Solgy Jose T.Kottaram, DR  
For Assessee : Shri Sunil Kumar Jain, AR

Date of Hearing : 30-01-2020  
Date of Pronouncement : 19-02-2020

**ORDER**

**PER Smt. P. MADHAVI DEVI, J.M. :**

This appeal filed by the Revenue is directed against the order of the Commissioner of Income Tax (Appeals)-V, Hyderabad, dated 07-04-2014 for the AY.2010-11.

2. At the time of hearing, it has been brought to our notice that as per the CBDT Circular No.03/2018 dated 11-07-2018 and Circular No.17 of 2019 dated 8<sup>th</sup> August, 2019, the tax limit for filing of appeal by the Revenue before the Tribunal has been fixed at Rs.50 Lakhs.

3. After hearing both the sides and perusing the records as placed before us, we found that this appeal is covered by the aforesaid circular and is, therefore, not maintainable. Since the tax effect in this appeal is less than Rs.50 Lakhs, we are dismissing the same on account of low tax effect as apparently the case is not covered by any of the exceptions in the circular. However, the Revenue is at liberty to seek recall of the order, if this case is found to be falling within the exceptions mentioned in the circulars cited above.

4. In the result, the appeal filed by Revenue is dismissed.

*Order pronounced in the open court on 19<sup>th</sup> February, 2020*

Sd/-  
**( A. MOHAN ALANKAMONY )**  
**ACCOUNTANT MEMBER**

Sd/-  
**( P. MADHAVI DEVI )**  
**JUDICIAL MEMBER**

Hyderabad, Dated: 19-02-2020

TNMM

*Copy to :*

- 1. Dy.Commissioner of Income Tax, Circle-16(2), Hyderabad.*
- 2. M/s. M.S.Agarwal Foundries Pvt. Limited, 2-1-113, Tobacco Bazar, Secunderabad.*
- 3. CIT(Appeals)-V, Hyderabad.*
- 4. The CIT-1, Hyderabad.*
- 5. D.R. ITAT, Hyderabad.*
- 6. Guard File.*