

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
KOLKATA 'D' BENCH, KOLKATA**

**Before Shri P.M. Jagtap, Vice-President  
and Shri A.T. Varkey, Judicial Member**

**[Through Virtual Court]**

**I.T.A. No. 257/KOL/2020  
Assessment Year: 2014-15**

***ITO Ward - 9(3) Kolkata,.....Appellant  
5<sup>th</sup> Floor, Room No. 21, Aayakar Bhawan,  
P-7, Chowringhee Square,  
Kolkata - 700 069.***

**-Vs.-**

***M/s. PNG Developers Pvt. Ltd.,.....Respondent  
2, Mullick Street,  
Kolkata - 700 007.  
[PAN:AAFPC 7006 H]***

**Appearances by:**

*Shri Supriyo Pal, JCIT, for the Appellant  
Shri S.M. Surana, Advocate, for the Respondent*

Date of concluding the hearing : July 02, 2020  
Date of pronouncing the order : July 02, 2020

**O R D E R**

**Per Shri P.M. Jagtap, Vice-President:**

This appeal is preferred by the Revenue against the order of Id. Commissioner of Income Tax (Appeals)-3, Kolkata dated 23<sup>rd</sup> October, 2019 passed for the assessment year 2014-15.

2. At the time of hearing before the Tribunal, the Id. Counsel for the assessee has contended that the tax effect involved in this appeal of the Revenue is less than the monetary limit of Rs.50,00,000/- fixed by the C.B.D.T. for filing the appeal by the Revenue before the Tribunal and this

position is not disputed even by the ld. D.R. In the Circular No. 17/2019 dated 8<sup>th</sup> August, 2019 issued by the C.B.D.T., the monetary limit for filing the appeal by Revenue before the Tribunal is revised to Rs.50,00,000/-. As further clarified in the said Circular, the monetary limit so revised is applicable even to the pending appeals and the same are directed to be withdrawn or not pressed. We accordingly treat this appeal as withdrawn/not pressed on account of low tax effect in view of the CBDT Circular No.17/2019 dated 8<sup>th</sup> August, 2019 and dismiss the same.

**3. In the result, the appeal filed by the Revenue is dismissed.**

Order pronounced in the open Court on 2<sup>nd</sup> July, 2020.

<b>Sd/-</b> <b>(A.T. Varkey)</b> <b>Judicial Member</b>	<b>Sd/-</b> <b>(P.M. Jagtap)</b> <b>Vice-President</b>
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**Kolkata, the 2<sup>nd</sup> day of July, 2020**

- Copies to :*
- (1) **ITO, Ward - 9(3), Kolkata**  
**5<sup>th</sup> Floor, Room No. 21, Aayakar Bhawan,**  
**P-7, Chowringhee Square, Kolkata - 700 069.**
  - (2) **M/s. PNG Developers Pvt. Ltd,**  
**2, Mullick Street, Kolkata - 700 007.**
  - (3) *Commissioner of Income Tax (Appeals)-3, Kolkata,*
  - (4) *Commissioner of Income Tax ,*
  - (5) *The Departmental Representative*
  - (6) *Guard File*

*By order*

*Assistant Registrar,*  
*Income Tax Appellate Tribunal,*  
*Kolkata Benches, Kolkata*

**Biswajit/Sr. P.S.**