

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD 'A' BENCH : Hyderabad**

(Through Video Conferencing)

**Before Smt. P. Madhavi Devi, Judicial Member
And
Shri A. Mohan Alankamony, Accountant Member**

**ITA No. 1138/Hyd./2016
A.Y. 2008-09**

ACIT, Circle 1
Kadapa

vs. M/s Siva Sai Srinivasa Constructions
1-713-1, Dwaraka Nagar
Kadapa

PAN: ABCFS7714G

**Cross Objection No. 58/Hyd/2016
(In ITA No. 1138/Hyd./2016)
A.Y. 2008-09**

M/s Siva Sai Srinivasa Constructions
Kadapa

vs. ACIT, Circle 1
Kadapa

(Appellant)

(Respondent)

For Revenue: Sh. Solgy Jose T Kattaram, D.R.
For Assessee: Sh. S. Rama Rao, Adv.

Date of Hearing : 30/09/2020
Date of Pronouncement 06/10/2020

ORDER

Per Smt. P. Madhavi Devi, J.M.

This is Revenue's appeal against the order of Ld.CIT(A), Kurnool dated 30.05.2016 for the A.Y. 2008-09 allowing assessee's appeal partly. Assessee has filed the Cross Objection.

The appeal along with the Cross Objection were taken up for hearing through video conferencing on 30.09.2020 and both the parties were heard.

2. At the time of hearing, Ld.Counsel for the assessee pointed out that the tax effect in revenue's appeal is less than the monetary limit of Rs.50,00,000/- as prescribed by the CBDT Circular No.03/2018 dated 11.7.2018 and Circular No.17/2019 dated 08.08.2019. He also submitted that if revenue's appeal is dismissed on account of low tax effect, the C.O. becomes infructuous.

3. Ld.DR confirmed that the tax effect is below the statutory limit of Rs.50,00,000/-.

4. Therefore, the appeal of the Revenue is dismissed for low tax effect in accordance with the CBDT Circular No.03/2018 dated 11.7.2018 and Circular No.17/2019 dated 08.08.2019 with liberty to seek recall of this Order if this case falls within any of the exceptions to the Circular. Consequently the C.O. of the assessee becomes infructuous and is dismissed as such.

5. In the result, revenue's appeal and the Cross Objection of assessee both are dismissed.

Order pronounced on 06th October, 2020.

Sd/-

**(A. MOHAN ALANKAMONY)
ACCOUNTANT MEMBER**

Sd/-

**(P. MADHAVI DEVI)
JUDICIAL MEMBER**

Dated: 06th October, 2020.

*gmv

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1. M/s Siva Sai Srinivasa Constructions, 1-713-3, Dwaraka Nagar, Kadapa
2. ACIT, Circle -1, Kadapa
3. CIT(A), Kurnool
4. Pr.CIT, Kurnool.
5. DR, ITAT, Hyderabad.
6. Guard File.