

आयकर अपीलिय अधिकरण

मुंबई पीठ "आई", मुंबई

IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "I", MUMBAI

श्री प्रमोद कुमार, उपाध्यक्ष एवं

श्री विकास अवस्थी, न्यायिक सदस्य के समक्ष

BEFORE SHRI PRAMOD KUMAR, VICE PRESIDENT &
SHRI VIKAS AWASTHY, JUDICIAL MEMBER

आअसं. 2694/मुं/2019 (नि.व. 2015-2016)

ITA NO.2694/MUM/2019(A.Y.2015-2016)

Dy. Commissioner of Income Tax(IT) -4(3)(2),
Room No.1611, 16th Floor,
Air India Building, Nariman Point,
Mumbai 400 021

..... अपीलार्थी /Appellant

बनाम Vs.

M/s. Welltec AS,
Unit No.406, Town Centre,
Andheri Kurla Road, Marol,
Opp. Times Square, Andheri(E)
Mumbai 400 059

PAN: AAACW7688K

..... प्रतिवादी/Respondent

Assessee by : Shri Yogesh Asher
Revenue by : Shri S.S.Iyengar

सुनवाई की तिथि/ Date of hearing : 01/02/2021

घोषणा की तिथि/ Date of pronouncement : 01/02/2021

आदेश/ ORDER

PER VIKAS AWASTHY, JM:

This appeal by the Revenue is directed against the order of Commissioner of Income Tax Appeals-58, Mumbai [in short 'CIT(A)'] dated 15/02/2019 for the assessment year 2015-16.

2. Shri S.S.Iyengar , representing the Department fairly admitted at the outset that appeal filed by the Revenue suffers from low tax effect in the light of CBDT Circular No. Circular No.17/2019 dated 08/08/2019. The Id. Departmental Representative pointed that tax effect involved in the appeal is less than Rs.50,00,000/-.

3. Heard. The only issue assailed in appeal is addition of Rs.58,19,371/- deleted by CIT(A). Undisputedly, the tax effect involved in the appeal is less than Rs.50,00,000/- i.e. the monetary limit specified by the CBDT vide Circular No.17/2019 (supra) for filing of appeals by the Revenue before the Tribunal. Thus, without going into merits of the issue raised in the appeal, the present appeal by the Revenue is dismissed on account of low tax effect.

4. Before parting, we clarify here that the Revenue shall be at liberty to approach the Tribunal for restoration of appeal, with the requisite material to show that the appeal is protected by the exceptions prescribed in Para 10 of the Circular dated 11-07-2018 and its amendment dated 20/08/2018.

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

Order pronounced in the open court on Monday the 1st day of February, 2021.

Sd/-

(PRAMOD KUMAR)

उपाध्यक्ष /VICE PRESIDENT

मुंबई/ Mumbai, दिनांक/Dated 01/02/2021

Vm, Sr. PS (O/S)

Sd/-

(VIKAS AWASTHY)

न्यायिक सदस्य/JUDICIAL MEMBER

प्रतिलिपि अग्रेषितCopy of the Order forwarded to :

1. अपीलार्थी/The Appellant ,
2. प्रतिवादी/ The Respondent.
3. आयकर आयुक्त(अ)/ The CIT(A)-
4. आयकर आयुक्त CIT
5. विभागीय प्रतिनिधि, आय.अपी.अधि., मुंबई/DR, ITAT,
Mumbai
6. गार्ड फाइल/Guard file.

//True Copy//

BY ORDER,

(Dy./Asstt. Registrar)
ITAT, Mumbai