

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCHES "A" : HYDERABAD
(THROUGH VIDEO CONFERENCE)**

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER
AND
SHRI LAXMI PRASAD SAHU, ACCOUNTANT MEMBER**

I.T.A. No. 314/HYD/2016

Assessment Year: 2007-08

Small is Beautiful,
HYDERABAD
[PAN: ABAFS3266R]

Vs
Additional Commissioner
of Income Tax,
Range-6,
HYDERABAD

(Appellant)

(Respondent)

For Assessee : Shri S.Rama Rao, AR

For Revenue : Shri Sunil Kumar Pandey, DR

Date of Hearing : 03-02-2021

Date of Pronouncement : 22-02-2021

ORDER

PER BENCH :

This assessee's appeal for AY.2007-08 arises from the CIT(A)-9, Hyderabad's order dated 31-12-2015 passed in appeal No.0287/Addl.CIT, Range-6/2015-16 in proceedings u/s.154 of the Income Tax Act, 1961 [in short, 'the Act'].

Heard both the parties. Case file perused.

2. It transpires at the outset with the able assistance on both the parties that instant lis raises Section 154 rectification issue whereas the Revenue's SLP(C) No.33818/2014 in Section 143(3) regular assessment proceedings is pending before the hon'ble apex court. We therefore are of the opinion that larger

interest of justice would be met if the impugned issue rectification before us is kept alive at the Assessing Officer's end to be decided afresh after the final outcome in the Section 143(3) proceedings. Ordered accordingly. It is made clear that the assessee shall be entitled to raise factual/legal pleas in his support in the consequential proceedings. And also that delay; if any in all this waiting period shall not be attributable to the department in any manner; whatsoever.

3. This assessee's appeal is treated as allowed for statistical purposes in above terms.

Order pronounced in the open court on 22nd February, 2021

Sd/-
(LAXMI PRASAD SAHU)
ACCOUNTANT MEMBER

Sd/-
(S.S.GODARA)
JUDICIAL MEMBER

Hyderabad, Dated: 22-02-2021

TNMM

Copy to :

1.Small is Beautiful, 8-2-293/82/A/431/A, Road No.22, Jubilee Hills, Hyderabad.

2.The Addl.Commissioner of Income Tax, Range-6, Hyderabad.

3.CIT(Appeals)-9, Hyderabad.

4.Pr.CIT-6, Hyderabad.

5.D.R. ITAT, Hyderabad.

6.Guard File.