

IN THE INCOME TAX APPELLATE TRIBUNAL
Hyderabad ‘ SMC ‘ Bench, Hyderabad
(Through Video Conferencing)
Before Smt. P. Madhavi Devi, Judicial Member

ITA No.1086/Hyd/2019		
Assessment Year: 2015-16		
Madhuvan Restaurant & Bar, Hyderabad PAN:AAUFM5259M (Appellant)	Vs.	Income Tax Officer Ward 11(4) Hyderabad (Respondent)
Assessee by:	Sri Yogesh, Accountant	
Revenue by:	Sri K.N. Suresh Babu, DR	
Date of hearing:	15/02/2021	
Date of pronouncement:	24/02/2021	

ORDER

This is assessee's appeal for the A.Y 2015-16 against the order of the CIT (A)-1, Hyderabad, dated 16.1.2019. This appeal is filed with the delay of 101 days. This matter came up for hearing on 15.2.2021 and at that time it was brought to the notice of the Bench that the assessee had filed ITA No.568/Hyd/2019 against the order of the CIT (A)-1 Hyderabad dated 16.1.2019 and the appeal was dismissed vide orders dated 2.8.2019, for want of representation and also for non-filing of any evidence contrary to the findings of the CIT (A). The assessee has filed the present appeal in ITA No.1086/Hyd/2019 against the very same order of the CIT (A) and therefore, it is not maintainable. Further, at the time of hearing, the Accountant of the assessee appeared during the virtual hearing and submitted that the assessee is paying taxes consequent to dismissal of the appeal by the Tribunal in ITA No.568/Hyd/2019 and therefore, the assessee does not wish to press this appeal in ITA

No.1086/Hyd/2019. In view of the said statement also, this is appeal is liable to be dismissed. Accordingly, the assessee's appeal is dismissed,

2. In the result, assessee's appeal is dismissed.

Order pronounced in the Open Court on 24th February, 2021.

Sd/-

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

Hyderabad, dated 24th February, 2021.

Vinodan/sps

Copy to:

- 1 Madhuvan Restaurant & Bar, H.No.8-58-311, G1, Gateway
Comp[lex, Coco Cola X Road, Bachupally, Hyderabad 500090
- 2 ITO Ward 11(4) Hyderabad
- 3 CIT (A)-1 Hyderabad
- 4 Pr. CIT - 1 Hyderabad
- 5 The DR, ITAT Hyderabad
- 6 Guard File

By Order