

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI "A" BENCH: NEW DELHI**

**(THROUGH VIDEO CONFERENCING)**

**BEFORE SHRI G.S. PANNU, VICE PRESIDENT AND  
SHRI K.NARSIMHA CHARY, JUDICIAL MEMBER**

**ITA No.4786/Del/2018  
Assessment Year : 2007-08**

Green Valley Tower Pvt.Ltd., M-11, Middle Circle, Connaught Circus, New Delhi-110001. PAN-AAACG4032B	Vs	ACIT, Central Circle-32, New Delhi
<b>APPELLANT</b>		<b>RESPONDENT</b>
<b>Appellant by</b>	Sh.Ajay Bhagwani, CA	
<b>Respondent by</b>	Sh.M.Baranwal, Sr.DR	
<b>Date of Hearing</b>	12.03.2021	
<b>Date of Pronouncement</b>	12.03.2021	

**ORDER**

**PER K.NARSIMHA CHARY, J.M. :**

This appeal is filed by the assessee challenging the order dated 07.05.2018 in Appeal No.144/14-15/1722 passed by Ld. Commissioner of Income Tax (Appeals)-30, New Delhi ["Ld. CIT(A)"] refusing to delete the penalty levied by the Assessing Officer by order dated 14.04.2014.

2. At the outset, Ld.AR submitted that very basis of levy of penalty, namely, the quantum addition was deleted by a Co-ordinate Bench of this Tribunal in ITA Nos. 1735 & 1750/Del/2013 vide order dated 15/01/2021 and, therefore, the penalty cannot be sustained. He produced the copy of order dated 15.01.2021 in ITA No. 1735/Del/2013 for Assessment Year 2006-07 and ITA No. 1750/Del/2013 for

Assessment Year 2007-08 wherein the quantum addition was deleted and it forms part of record.

3. Deletion of quantum addition by a Co-ordinate Bench of this Tribunal as is evidenced from the copy of the order dated 15.01.2021 remains undisputable. In these circumstances, we are of the considered opinion that the penalty cannot survive and the same has to be deleted. We direct the Assessing Officer to delete the same.

4. In the result, the appeal of the assessee is allowed.

Order Pronounced in the open Court on 12<sup>th</sup> March, 2021, on the conclusion of hearing over virtual mode.

**Sd/-**

**(G.S. PANNU)**  
**VICE PRESIDENT**

**Sd/-**

**(K.NARSIMHA CHARY)**  
**JUDICIAL MEMBER**

Dated:- 12<sup>th</sup> March, 2021.

*\* Amit Kumar \**

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR  
ITAT, NEW DELHI