

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI 'A' BENCH, NEW DELHI
(Through Video Conferencing)

BEFORE SHRI R.K. PANDA, ACCOUNTANT MEMBER
AND
SHRI K.N. CHARY, JUDICIAL MEMBER

ITA No. 3903/Del/2018
Assessment Year : 2007-08

ACIT, CC-27,
NEW DELHI

Vs. M/S A.R. LEASING PVT. LTD.,
305, 3RD FLOOR, BHANOT CORNER,
PAMPOSH ENCLAVE, GREATER KAILASH-
I, NEW DELHI – 48
(PAN: AAACA0423A)

(Appellant)

(Respondent)

Revenue by : Sh. Satpal Gulati, CIT(DR)

Assessee by : Sh. M.P. Rastogi, Adv.

Date of hearing : 15.04.2021

Date of pronouncement : 15.04.2021

ORDER

PER K.N. CHARY, JM:

This appeal by the Revenue for the assessment year 2007-08 is directed against the order of Learned CIT(A)-29, New Delhi dated 22.03.2018.

2. Learned Counsel for the assessee has submitted that the tax effect in the appeal of the Revenue is below Rs. 50 lakhs. The CBDT in its Circular No.17/2019 dated 8th August, 2019 has revised the monetary limit for filing of the departmental appeals to the ITAT at Rs. 50 lakhs.

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3. Learned CIT(DR) agreed that the tax effect in this appeal of the Revenue is below Rs. 50 lakhs.

4. In view of the above position, we deem it proper to dismiss the appeal of the Revenue in the light of the Circular No.17/2019 of the CBDT dated 8th August, 2019, as not maintainable. However, if on a later date, the Revenue finds that the tax effect in dispute in the aforesaid appeal is more than the limit prescribed or it is protected by any of the exceptions provided in the CBDT Circular, it shall be at liberty to approach the Tribunal for recall of the order and reinstatement of the appeal for adjudication on merits. The Tribunal shall consider such application, as per the extant law.

5. In the result, in view of the aforesaid discussion, the Revenue's appeal stands dismissed.

Above decision was pronounced in the presence of both the parties on conclusion of Virtual Hearing on 15th April, 2021.

SD/-

SD/-

(R.K. PANDA)

(K.N. CHARY)

ACCOUNTANT MEMBER

JUDICIAL MEMBER

SRB.

Copy forwarded to: -

1. Appellant

2. Respondent

3. CIT

4. CIT(A)

5. DR, ITAT

Assistant Registrar