

आयकर अपीलीय अधिकरण "ए" न्यायपीठ पुणे में ।
IN THE INCOME TAX APPELLATE TRIBUNAL "A" BENCH, PUNE

BEFORE SHRI R.S. SYAL, VP AND
SHRI S.S. VISWANETHRA RAVI, JM

आयकर अपील सं. / ITA No. 2833/PUN/2017

निर्धारण वर्ष / Assessment Year : 2008-09

Xrbia North Hinjewadi Developers Pvt. Ltd.
1st Floor, Mantri House, F.C. Road,
Shivaji Nagar, Pune-411 004
PAN : AABCL3372N

.....अपीलार्थी / Appellant

बनाम / V/s.

The Income Tax Officer,
Ward-7(5), Pune.

.....प्रत्यर्थी / Respondent

Assessee by : None

Revenue by : Shri Vitthal Bhosale

सुनवाई की तारीख / Date of Hearing : 29.04.2021

घोषणा की तारीख / Date of Pronouncement : 29.04.2021

आदेश / ORDER

PER R.S. SYAL, VP :

This appeal by the assessee arises out of the order passed by the ld. CIT(Appeals), Pune-5, Pune on 04.08.2017 in relation to the assessment year 2008-09.

2. We have heard the ld. DR and perused the relevant material on record. It is seen that the ld. CIT(A) passed the order *ex-parte qua* the assessee. The assessee, vide the grounds raised in the memorandum of

appeal, has assailed the action of the ld. CIT(A) in not giving proper opportunity of hearing. In view of the foregoing facts, we are of the considered opinion that the ends of justice would meet adequately if the impugned order is set-aside and the matter is restored to the file of the ld. CIT(A). We order accordingly and direct him to decide the appeal afresh as per law after allowing a reasonable opportunity of being heard to the assessee.

3. In the result, the appeal is allowed for statistical purposes.

Order pronounced on 29th day of April, 2021

Sd/-
S.S. VISWANETHRA RAVI
JUDICIAL MEMBER

Sd/-
R.S. SYAL
VICE-PRESIDENT

पुणे / Pune; दिनांक / Dated : 29th April, 2021

SB

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(Appeals), Pune-5, Pune.
4. The Pr. CIT, Pune-4, Pune.
5. विभागीय प्रतिनिधि , आयकर अपीलीय अधिकरण, "ए" बेंच,
पुणे / DR, ITAT, "A" Bench, Pune.
6. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

निजी सचिव / Private Secretary
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune.

		Date	
1	Draft dictated on	29.04.2021	Sr.PS/PS
2	Draft placed before author	29.04.2021	Sr.PS/PS
3	Draft proposed and placed before the second Member		JM/AM
4	Draft discussed/approved by second Member		AM/JM
5	Approved draft comes to the Sr. PS/PS		Sr.PS/PS
6	Kept for pronouncement on		Sr.PS/PS
7	Date of uploading of order		Sr.PS/PS
8	File sent to Bench Clerk		Sr.PS/PS
9	Date on which the file goes to the Head Clerk		
10	Date on which file goes to the A.R		
11	Date of dispatch of order		

*