

**IN THE INCOME TAX APPELLATE TRIBUNAL,
'B(SMC)' BENCH, KOLKATA
[Virtual Court Hearing]**

Before Shri P.M. Jagtap, Vice-President

**I.T.A. No. 45/KOL/2020
Assessment Year: 2015-2016**

Assistant Commissioner of Income Tax,..... Appellant
Circle-47, Kolkata,
3, Government Place (West),
Kolkata-700001
-Vs.-

Sunita Jalan,..... Respondent
5th Floor, Howrah AC Market,
47, Dobson Road,
Howrah-711101
[PAN: ACRPJ7136P]

Appearances by:

Shri Jayanta Khanra, JCIT, Sr. D.R., appeared on behalf of the Revenue
N o n e, appeared on behalf of the assessee

Date of concluding the hearing : May 04, 2021
Date of pronouncing the order : May 04, 2021

O R D E R

This appeal is preferred by the Revenue against the order of Id. Commissioner of Income Tax (Appeals)-14, Kolkata dated 26.02.2019 and the solitary issue involved therein relates to the deletion by the Id. CIT(Appeals) of the addition of Rs.13,54,500/- made by the Assessing Officer on account of bogus LTCG claim on penny stock.

2. At the time of hearing fixing in this case today, none has appeared on behalf of the assessee. At the outset, it is noticed from the grounds raised by the Revenue in this appeal that the tax effect involved in this appeal is less than the monetary limit of Rs.50,00,000/- fixed by the C.B.D.T. for filing the appeal by the Revenue before the Tribunal. The Id.

D.R. has not raised any objection in this regard. In the Circular No. 17/2019 dated 8th August, 2019 issued by the C.B.D.T., the monetary limit for filing the appeal by Revenue before the Tribunal is revised to Rs.50,00,000/-. As further clarified in the said Circular, the monetary limit so revised is applicable even to the pending appeals and the same are directed to be withdrawn or not pressed. I accordingly treat this appeal as withdrawn /not pressed on account of low tax effect in view of the CBDT Circular No.17/2019 dated 8th August, 2019 and dismiss the same.

3. In the result, the appeal filed by the Revenue is dismissed.

Order pronounced in the open Court on May 04, 2021.

**Sd/-
(P.M. Jagtap)
Vice-President**

Kolkata, the 4th day of May, 2021

Copies to : (1) ***Assistant Commissioner of Income Tax,
Circle-47, Kolkata,
3, Government Place (West), Kolkata-700001***

(2) ***Sunita Jalan,
5th Floor, Howrah AC Market,
47, Dobson Road, Howrah-711101***

(3) *Commissioner of Income Tax (Appeals)-14, Kolkata;*

(4) *Commissioner of Income Tax- ,*

(5) *The Departmental Representative*

(6) *Guard File*

By order

*Assistant Registrar,
Income Tax Appellate Tribunal,
Kolkata Benches, Kolkata*

Laha/Sr. P.S.