

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

(THROUGH VIDEO CONFERENCING)

**BEFORE SHRI KUL BHARAT, JUDICIAL MEMBER &
SHRI P.K.KEDIA, ACCOUNTANT MEMBER**

**ITA No.7685/Del/2018
[Assessment Year : 2007-08]**

DCIT, Circle-16(1), New Delhi	vs	Maruti Suzuki India Ltd., Plot No.1, Nelson Mandela Road, Vasant Kunj, Delhi-110070. PAN-AAACM0829Q
APPELLANT		RESPONDENT
Appellant by		Ms. Sarita Kumari, CIT DR
Respondent by		Shri Ajay Vohra, Sr.Adv., Shri Rohit Jain, Adv. & Ms. Somya Jain, CA
Date of Hearing		01.12.2021
Date of Pronouncement		01.12.2021

ORDER

PER KUL BHARAT, JM :

This appeal filed by the Revenue for the assessment year 2007-08 is directed against the order of Ld. CIT(A)-6, Delhi dated 10.09.2018. The Revenue has raised following grounds of appeal:-

1. " The Ld.CIT(A) has erred in limiting the investment to only the investment which yield dividend income.
2. The Ld.CIT(A) has erred in allowing the interest expense by observing that the assessee has its own fund.
3. That the appellant craves leave to add, amend, alter or forgo any grounds of appeal either before or at the time of hearing of the appeal."

2. However, Ld. CIT DR for the Revenue pointed out that the present appeal is to be withdrawn as the tax effect involved in the case is below Rs.50 Lacs.

3. The CBDT vide Circular No.17/2019 dated 08.08.2019 has revised the monetary limit for filing the appeals before the Tribunal to Rs.50 Lacs. Further, CBDT vide letter dated 20.08.2019 has also clarified that Circular No.17/2019 would be applicable to all pending appeals. In such circumstances, the present appeal filed by the Revenue in case of low tax effect is not maintainable.

4. Before parting, we clarify here that the Revenue shall be at liberty to approach the Tribunal for re-institution of appeal, if the requisite material is brought to show that the appeal is protected by the exceptions prescribed in para 10 of the Circular dated 11.07.2018.

5. In conclusion, by applying the CBDT Circular dated 08.08.2019 and letter dated 20.08.2019 (supra), the captioned appeal of the Revenue is dismissed as withdrawn/not pressed.

6. In the result, the appeal of Revenue is dismissed.

Order pronounced in the open Court on 01st December, 2021.

Sd/-

Sd/-

(P.K.KEDIA)
ACCOUNTANT MEMBER

(KUL BHARAT)
JUDICIAL MEMBER

Amit Kumar

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT, NEW DELHI