

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH, 'SMC': NEW DELHI**

**SHRI SANJAY GARG, JUDICIAL MEMBER**

**ITA No.1831/Del/2021  
Assessment Year : 2011-12**

Madhurika Jain, C-77, 1 <sup>st</sup> Floor, Gali No.04, Mahendru Enclave, Shanjarpur, Delhi-110033	vs	ITO, Ward-36(3), Civic Centre, New Delhi-110002
<b>PAN-APKPJ7978K</b>		
<b>APPELLANT</b>		<b>RESPONDENT</b>

<b>Appellant by</b>	Ms. Khushboo, CA
<b>Respondent by</b>	Sh. Sanjay Kumar, Sr. DR
<b>Date of Hearing</b>	22.06.2022
<b>Date of Pronouncement</b>	22.06.2022

**ORDER**

This present appeal has been preferred by the assessee against the order dated 30.08.2019 of the Ld. Commissioner of Income Tax (Appeals)-12, New Delhi [hereinafter referred to as 'CIT(A)'], pertaining to AY 2011-12.

2. At the outset, Ms. Khushboo, appeared on behalf of the assessee and pleaded that the impugned order of the AO as well as the ld. CIT(A) is ex-parte order. She has further invited my attention to the impugned order of the Ld. CIT(A) to submit that the letter of adjournment was filed before the ld. CIT(A) but despite request of the ld. counsel for the assessee, the ld. CIT(A) proceeded to pass the impugned appellate order. Therefore, she has

submitted that in the interest of justice, the assessee may be given opportunity to present her case before the AO.

3. The Ld. DR has not objected to the same.

4. In view of this, the impugned order of the ld. CIT(A) is set-aside and the matter is restored to the file of the AO for denovo adjudication.

5. In the result, the appeal of the assessee is allowed for statistical purposes.

Order pronounced in the open Court on 22.06.2022.

**Sd/-**  
**(SANJAY GARG)**  
**JUDICIAL MEMBER**

**Delhi;**

Dated: 22/06/2022.

*Shekhar*

Copy forwarded to:

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

ASSISTANT REGISTRAR  
ITAT, NEW DELHI