

IN THE INCOME TAX APPELLATE TRIBUNAL "D" BENCH, MUMBAI

BEFORE SHRI ABY T. VARKEY, JM AND SHRI GAGAN GOYAL, AM

आयकर अपील सं/ I.T.A. No.3702/Mum/2019

(निर्धारण वर्ष / Assessment Years: 2009-10)

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|---|---------------------|---|
| M/s. Dish Hospitality Pvt. Ltd. 4 th Floor, HDIL Towers, Anant Kanekar Marg, Bandra, Mumbai-400051. | बनाम/ Vs. | PCIT-14 Room No.415, 4 th Floor, Aayakar Bhavan, Mumbai-400020. |
| स्थायी लेखा सं./जीआइआर सं./PAN/GIR No. : AACCB0280A | | |
| (अपीलार्थी /Appellant) | .. | (प्रत्यर्थी / Respondent) |

| | |
|--------------|---------------------------|
| Assessee by: | None |
| Revenue by: | ShriMahiita Nair (Sr. AR) |

सुनवाई की तारीख / Date of Hearing: 30/06/2022

घोषणा की तारीख /Date of Pronouncement: 13/07/2022

आदेश / ORDER

PER ABY T. VARKEY, JM:

This is an appeal preferred by the assessee against the order of the Ld. Principal Commissioner of Income Tax(A)-14, Mumbai dated 29.03.2019 for assessment year 2009-10 passed under section 263 of the Income Tax Act, 1961 (hereinafter referred to as "the Act").

2. From the order-sheet entries, it is noted that eighteen (18) times the appeal has been listed for hearing. Further, we note that none appeared for the assessee (except twice before Feb, 2020) and that the appeal has been filed in the year 2019; and further we note that there is neither relevant documents nor written submission filed by the assessee to facilitate adjudication of the grounds of appeal raised by the assessee. Taking into consideration the aforesaid facts, we are inclined to dismiss the appeal for failure on the part of assessee to appear before us or even not filing written submission or relevant



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documents or adjournment application before us. Before we part, we observe that in case, if there is any just cause for non-appearance before this Tribunal, the assessee may file appropriate application for recalling this order.

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

Order pronounced in the open court on this 13/07/2022.

Sd/-

(GAGAN GOYAL)
ACCOUNTANT MEMBER

Sd/-

(ABY T. VARKEY)
JUDICIAL MEMBER

Mumbai; Dated 13/07/2022.
Vijay Pal Singh, (Sr. PS)

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

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त(अपील) / The CIT(A)-
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई / DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार / (Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai