

आयकर अपीलीय अधिकरण, कोचीन पीठ, कोचीन में।
IN THE INCOME TAX APPELLATE TRIBUNAL
COCHIN BENCH, COCHIN

माननीय श्री सतबीर सिंह गोदारा, न्यायिक सदस्य एवं
माननीय श्री मनोज कुमार अग्रवाल, लेखा सदस्य के समक्ष।
BEFORE HON'BLE SHRI SATBEER SINGH GODARA, J.M
AND
HON'BLE SHRI MANOJ KUMAR AGGARWAL, A.M

आयकर अपील सं./ **ITA No.31/Coch/2021**
(निर्धारण वर्ष / **Assessment Year: 2007-08**)

ACIT Circle- 2(1), Thrissur.	बनाम/ Vs.	M/s. T.N. Auto & General Engineering Company Pvt. Ltd. 11/256A, Near Railway Station Road, Wadakkancherry, Thrissur Distt. – 680 623.
स्थायी लेखा सं./जीआइ आर सं./ PAN/GIR No. AAAC-3423-D		
(□ पीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थी की ओरसे/ Assessee by	:	Shri T.M. Sreedharan, (Sr. Advocate)-Ld. A.R
प्रत्यर्थी की ओरसे/ Revenue by	:	Shri J.M. Jamuna Devi (Addl. CIT) – Ld. DR

सुनवाई की तारीख/ Date of Hearing	:	10-11-2022
घोषणा की तारीख / Date of Pronouncement	:	30-11-2022

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. The sole grievance of the revenue in the captioned appeal is deletion of addition of Rs.119.12 Lacs as made by Ld. AO on account of suppression of profits.
2. The Ld. AR, at the outset, submitted that the appeal is not maintainable on account of low tax effect in terms of CBDT Circular No. 17/2019 dated 08/08/2019 [F.No.279/Misc.142/2007-TTJ(Pt.). For the

same, our attention has been drawn to Form No.36 and grounds of appeal raised by the revenue. The same could not be controverted by the revenue.

2. Upon perusal, it could be gathered that tax effect of quantum additions under dispute by revenue is below threshold limit of Rs.50 Lacs and therefore, the revenue's appeal is not maintainable in terms of the stated circular.

3. In view of the foregoing, the appeal stand dismissed. However, a liberty is given to revenue to seek recall of the appeal, if at a later stage, it is found that the matter is covered by any exceptions provided in any of the circular or in case the tax effect in the appeal exceeds the prescribed monetary limit.

4. The appeal stands dismissed.

Order pronounced on 30th November, 2022.

Sd/-
(SATBEER SINGH GODARA)
न्यायिक सदस्य / JUDICIAL MEMBER

Sd/-
(MANOJ KUMAR AGGARWAL)
लेखक सदस्य / ACCOUNTANT MEMBER

दिनांक / Dated : 30-11-2022
EDN/-

Copy to:

1. *The Appellant*
2. *The Respondent*
3. *The CIT(A) -NFAC, Delhi*
4. *The CIT -*
5. *The DR, ITAT, Cochin*
6. *Guard File*