

1 ITA 4763/M/2019.
M/s Siddhiraj Housing Projects Pvt Ltd., Mumbai

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

BEFORE SHRI PRASHANT MAHARISHI, (ACCOUNTANT MEMBER)
& SHRI PAVAN KUMAR GADALE (JUDICIAL MEMBER)

I.T.A No.4763/Mum/2019
A.Y. 2014-15

Siddhi Raj Housing Projects P. Ltd., A-20, Rajpipla, Opp Standard Chartered Bank, Linking Road, Santacruz (W) Mumbai – 400054. PAN – AAOCS9891C	vs	DCIT, Central Circle – 6(2) Room No. 1903, Air India Bldg, 19 th Floor, Room No. 1906, Nariman Point, Mumbai – 400021.
APPELLANT		RESPONDENT

Assessee represented by	None
Department represented by	Shri H.N Singh, CIT (DR)
Date of hearing	19/10/2022
Date of pronouncement	31/10/2022

O R D E R

Per Pavan Kumar Gadale, JM

The appeal is filed by the assessee against the order of Pr. Commissioner of Income-tax (C) -3 Mumbai u/sec263 of the Act.

2. At the time of hearing, the Ld. DR has brought to the knowledge of the bench that, the assessee has been referred to the Corporate Insolvency Resolution Process as per IBC-2016 Laws.

3. Whereas as per the provisions of Sec.14 of IBC-2016 till the conclusion of proceedings under IBC-2016 no suit or proceedings can be continued against the corporate debtor. Considering the facts and circumstances, we are of the opinion that there is no point in proceeding with the appeal filed by the assessee and also keeping the appeal pending is also a continuation of proceedings.

4. Accordingly, we considering the provisions of section 14 of IBC-2016 Laws dismiss the appeal filed by the Assessee. Further we grant the liberty to the appellant/assessee to move an application to recall the present order after the moratorium is over as per the provisions of IBC-2016 laws.

5. In the result, the appeal filed by the assessee and the revenue are dismissed.

Order pronounced in the open court on 31/10/2022

Sd/-

(PRASHANT MAHARISHI)
ACCOUNTANT MEMBER

Sd/-

(PAVAN KUMAR GADALE)
JUDICIAL MEMBER

Mumbai, Dt : 31st Oct, 2022

KRK, PS

प्रतिलिपि अग्रेषित Copy of the Order forwarded to :

1. अपीलार्थी/The Appellant ,
2. प्रतिवादी/ The Respondent.

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M/s Siddhiraj Housing Projects Pvt Ltd., Mumbai

3. आयकर आयुक्त(अ)/ The CIT(A)-
4. आयकर आयुक्त CIT
5. विभागीय प्रतिनिधि, आय.अपी.अधि., मुंबई/DR, ITAT,
Mumbai
6. गार्ड फाइल/Guard file.

BY ORDER,

//True Copy//

Asstt. Registrar / Senior Private Secretary
ITAT, Mumbai