

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH : A : NEW DELHI

BEFORE SHRI C.M. GARG, JUDICIAL MEMBER
AND
DR. B.R.R. KUMAR, ACCOUNTANT MEMBER

ITA No.4939/Del/2019
Assessment Year: 2006-07

DCIT,
Central Circle-01,
New Delhi.

Vs. Sahara Global Vision Pvt. Ltd.,
CTS, 40-44, Sahara India Point,
S.V. Road,
Goregaon,
Maharashtra.

PAN: AAFCS2904P

(Appellant)

(Respondent)

Assessee by	:	Shri Dinesh Verma, Advocate
Revenue by	:	Shri Kanav Bali, Sr. DR
Date of Hearing	:	13.02.2023
Date of Pronouncement	:	13.02.2023

ORDER

This appeal filed by the Revenue is directed against the order dated 22.03.2019 of the CIT(A)-23, New Delhi, relating to Assessment Year 2006-07, deleting the penalty imposed by the AO.

2. The Id. Counsel of the assessee, placing a copy of the order of the ITAT in ITA No.2514/Del/2014, dated 30.08.2018, deleting the addition made by the AO for the instant assessment year in quantum proceedings, submitted that the penalty in this case does not survive.

3. The Id. Sr. DR fairly agreed that the addition made by the assessee for the instant year has been deleted by the ITAT in the quantum proceedings and, hence, the penalty does not survive.

4. On careful consideration of the submissions of both the sides, we find that the penalty in this case does not survive since the addition, which was the very basis of imposing the penalty by the AO, has been deleted by the CIT(A) in quantum proceedings. Therefore, the order of the Id.CIT(A) deleting the penalty imposed by the AO is upheld.

5. In the result, the appeal filed by the Revenue is dismissed.

Order pronounced in the open court on 13th February, 2023.

Sd/-

(B.R.R. KUMAR)
ACCOUNTANT MEMBER

Dated:13th February, 2023.

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Copy forwarded to :

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Sd/-

(C.M. GARG)
JUDICIAL MEMBER

Asstt. Registrar, ITAT, New Delhi