

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

**Before Dr. B. R. R. Kumar, Accountant Member  
Sh. Yogesh Kumar US, Judicial Member**

**ITA No. 9304/Del/2019 : Asstt. Year: 2015-16**

Sushant Muttreja, R-794, Ground Floor, New Delhi-110060 (APPELLANT)	Vs.	ACIT, Circle-70(1), New Delhi (RESPONDENT)
<b>PAN No. AJZPM7650C</b>		

**Assessee by : Sh. Subham Sharma, Adv.  
Revenue by : Sh. Anuj Garg, Sr. DR**

**Date of Hearing: 02.08.2023**

**Date of Pronouncement: 03.08.2023**

**ORDER**

**Per Dr. B. R. R. Kumar, Accountant Member:**

The present appeal has been filed by the assessee against the order of Id. CIT(A)-28, New Delhi dated 27.09.2019.

2. At the outset, both the parties submitted that since the adjudication by the Id. CIT(A) has been an *ex-parte*, in the fitness of things, the matter should go back to the file of the Id. CIT(A) for adjudication afresh after considering the submissions of the assessee. We are of the considered view that the ends of justice would be well served if an opportunity is given to the assessee.

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

Order Pronounced in the Open Court on 03/08/2023.

Sd/-

**(Yogesh Kumar US)**  
**Judicial Member**

Sd/-

**(Dr. B. R. R. Kumar)**  
**Accountant Member**

**Dated: 03/08/2023**

\*Subodh Kumar, Sr. PS\*

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

**ASSISTANT REGISTRAR**