

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "H" NEW DELHI**

**BEFORE SHRI SAKTIJIT DEY, VICE PRESIDENT
AND
SHRI N.K. BILLAIYA, ACCOUNTANT MEMBER**

**ITA No.66/Del/2024
Assessment Year 2015-16**

Transnational Growth Fund Ltd., R-815, New Rajinder Nagar, North East, New Delhi-110060 PAN No.AAACT0610Q	Vs.	ITO Ward- 25 (3) New Delhi
(Appellant)		(Respondent)

Assessee by : None
Department by : Ms. Sapna Bhatia, CIT DR

Date of hearing : 01-04-2024
Date of pronouncement : 01-04-2024

ORDER

PER N.K BILLAIYA, AM :

This appeal by the assessee is preferred against the order dated 23.09.2023 by NFAC, Delhi pertaining to A.Y. 2015-16.

2. The sum and substance of the grievance of the assessee is that the NFAC erred in confirming the assessment by an exparte order in limine.

3. The appeal is late by 48 days. We have gone through the application for the condonation of delay and are satisfied with the cause of delay. Hence, the delay is condoned.

4. Coming to the facts of the case there is no denial that NFAC has dismissed the appeal in limine though there is a reference of service of notice through e-mail but the appeal has been dismissed in limine.

5. We deem it fit to restore the appeal to the files of the AO. The AO is directed to decide the issue afresh after affording a reasonable and adequate opportunity of being heard to the assessee after service of proper notice.

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

7. Order pronounced in the open court on 01.04.2024.

Sd/-
(SAKTIJIT DEY)
VICE PRESIDENT

Sd/-
(N. K. BILLAIYA)
ACCOUNTANT MEMBER

Dated: -04-2024

Neha

Copy of order to: -

- 1) The Appellant
- 2) The Respondent
- 3) The CIT
- 4) The CIT(A)
The DR, I.T.A.T., New Delhi

Assistant Registrar
ITAT, New Delhi