

आयकर अपीलिय अधिकरण, 'सी' न्यायपीठ, चेन्नई।
IN THE INCOME TAX APPELLATE TRIBUNAL
'C' BENCH: CHENNAI

श्री एबी टी. वर्की, न्यायिक सदस्य एवं श्री जगदीश, लेखा सदस्य के समक्ष
BEFORE SHRI ABY T. VARKEY, JUDICIAL MEMBER AND
SHRI JAGADISH, ACCOUNTANT MEMBER

आयकर अपील सं./ITA No.1270/Chny/2024
निर्धारण वर्ष /Assessment Year: 2020-21

The Income Tax Officer,
International Taxation Ward,
Coimbatore.

Harendra De Silva,
C/o. 100 Commissioners of Road,
Ootacamund,
The Nilgiris – 643001.
[PAN: AGMPD 0762A]

(अपीलार्थी/**Appellant**)

(प्रत्यर्थी/**Respondent**)

अपीलार्थी की ओर से/ Assessee by
प्रत्यर्थी की ओर से /Respondent by

: Shri Kathir, Advocate
: Ms. R. Anitha, Addl. CIT

सुनवाई की तारीख/Date of Hearing

: 05.09.2024

घोषणा की तारीख /Date of Pronouncement

: 18.09.2024

आदेश / **ORDER**

PER JAGADISH, A.M :

Aforesaid appeal filed by the Revenue for Assessment Year (AY) 2020-21 arises out of the order of Learned Commissioner of Income Tax (Appeals), Chennai-16 [hereinafter "CIT(A)"] dated 27.03.2024.

2. It was stated before us that the tax effect involved in the above appeal is Rs. 57,36,999/- which is less than Rs. 60 lakhs. The Hon'ble

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Finance Minister in budget speech has announced to raise the limit for filing appeal before ITAT to Rs.60 Lakhs with an object of the reducing the tax litigation. Subsequently, the CBDT vide Circular No.09 of 2024 dated 17.09.2024 has increased the monetary limit for filing the appeal by the Revenue before the ITAT to Rs. 60 Lakhs. In the said circular, it is stated that in cases where the tax effect in the appeal to be filed before the Appellate Tribunal does not exceed Rs. 60 lakhs appeals should not be filed. Thus, taking note of CBDT Circular No. 09 of 2024 dated 17.09.2024 and considering the fact that the tax effect in the instant appeal is less than Rs. 60 lakhs, the present appeal deserves to be dismissed as withdrawn / not maintainable. However, we make it clear that the issues raised in the instant appeal is left open to be examined in the appropriate proceedings, if arises, in future. At the same time, we also make it clear that if the appeal fall in any of the exceptions referred to in the above said CBDT Circular, the Revenue is at liberty to move an application for recalling the order, if so advised. Accordingly, in the light of CBDT circular No. 09 of 2024 dated 17.09.2024, this appeal stands dismissed.

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

Order pronounced on 18th September, 2024.

Sd/-
(एबी टी. वर्की)
(ABY. T. Varkey)

न्यायिक सदस्य / **Judicial Member**

चेन्नई/Chennai, दिनांक/Dated: 18th September, 2024.

EDN/-

Sd/-
(जगदीश)
(Jagadish)

लेखा सदस्य / **Accountant Member**

आदेश की प्रतिलिपि अग्रेषित/**Copy to:**

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकर आयुक्त/CIT, Coimbatore
4. विभागीय प्रतिनिधि/DR
5. गार्ड फाईल/GF