

**IN THE INCOME TAX APPELLATE TRIBUNAL, 'C' BENCH
MUMBAI**

**BEFORE: SHRI B R BASKARAN, ACCOUNTANT MEMBER,
&
SHRI SUNIL KUMAR SINGH, JUDICIAL MEMBER**

**ITA No.3868 & 3869/MUM/2024
(Assessment Year :2011-12 & 2010-11)**

Income Tax Officer – 28(2)(1), Vashi Navi Mumbai – 400 703	Vs.	Pankaj Sabharwal, 101 Sea Queen Heritage, Palm Beach Road, Sector 18, Plot No.6, Sanpada, Navi Mumbai - 400705
PAN/GIR No.AOPPS3284R		
(Appellant)	..	(Respondent)

Assessee by	None
Revenue by	Mr. Krishnakumar, Sr. DR
Date of Hearing	19/09/2024
Date of Pronouncement	25/09/2024

आदेश / O R D E R

PER SUNIL KUMAR SINGH (J.M):

1. These two appeals have been preferred against the impugned orders each dated 04.06.2024 passed in Appeal nos. CIT(A)26, Mumbai/10011/2019-20 and CIT(A)26, Mumbai/10010/2019-20 respectively by the Ld. Commissioner of Income-tax(Appeals)/National Faceless Appeal Centre (NFAC) [hereinafter referred to as the "CIT(A)"]

u/s. 250 of the Income-tax Act, 1961 [hereinafter referred to as "Act"] for the Assessment Years [A.Y.] 2011-12 and 2010-11 respectively, wherein learned CIT(A) has partly allowed assessee's appeals with direction to learned assessing officer to recalculate the penalty only u/s. 271(1)(c) of the Act on restricted addition of Rs. 1,47,521/- and Rs. 74,005/- respectively.

2. Both the appeals in ITA No. 3868/Mum/2024 and 3869/Mum/2024 have been filed by the Revenue on common grounds against the impugned orders each dated 04.06.2024, hence for the sake of brevity, both the appeals are being decided by a common order.

3. At the very outset, we notice that the total tax effect in both the appeals is shown to be of Rs. 4,25,700/- and Rs. 2,40,110/- respectively, CBDT circulated No. 03/2018 dated 11.07.2018 r/w CBDT circular No. 17/2019 dated 08.08.2019 directs that no appeal shall be filed before the Tribunal where the tax effect is 50,00,000/- CBDT has further directed that the circular letter shall apply retrospectively. The tax effect under instant appeal is far below the monetary limits given in these circulars. In such circumstances, both the appeals stand dismissed as infructuous.

Order pronounced in open court today on 25.09.2024

Sd/-
(B R BASKARAN)
ACCOUNTANT MEMBER

Sd/-
(SUNIL KUMAR SINGH)
JUDICIAL MEMBER

Mumbai; Dated: 25/09/2024

Copy of the Order forwarded to :

1. The Appellant

2. The Respondent.
3. CIT
4. DR, ITAT, Mumbai
5. Guard file.

BY ORDER,

(Asstt. Registrar)
ITAT, Mumbai