

**IN THE INCOME TAX APPELLATE TRIBUNAL
"F" BENCH, MUMBAI**

**MS. PADMAVATHY S, ACCOUNTANT MEMBER
SHRI RAHUL CHAUDHARY, JUDICIAL MEMBER**

**ITA No. 669/MUM/2024
(Assessment Year: 2017-18)**

Deputy Commissioner of Income Tax

Circle -3(3)(1), Mumbai

Room No.522,
Aayakar Bhavan, M.K.Road,
Mumbai – 400020.
Maharashtra.

..... **Appellant**

Shri Shyam Advisory Services Pvt. Ltd.

105 C Wing, Mittal Tower,
10th Floor, Nariman Point,
Mumbai – 400021 Maharashtra.
[PAN: AAPCS1731E]

Vs

..... **Respondent**

Appearance

For the Appellant/Department : Ms. Rajeshwari Menon

For the Respondent/Assessee : Shri Ashok Bansal

Date

Conclusion of hearing : 07.10.2024

Pronouncement of order : 09.10.2024

ORDER

Per Rahul Chaudhary, Judicial Member:

1. By way of the present appeal the Revenue has challenged the order, dated 19/12/2023, passed by the National Faceless Appeal Centre (NFAC), Delhi, [hereinafter referred to as the '**CIT(A)**'] partly allowing the appeal against the Assessment Order, dated 18/12/2019, passed under Section 143(3) of the Income Tax Act, 1961 [hereinafter referred to as 'the Act'] for the Assessment Year 2017-18.
2. As per the Memorandum of Appeal in Form 36 filed before the Tribunal the tax effect in the present appeal is INR 58,66,665/-.

3. According to the Circular No. 9 of 2024, dated 17/09/2024, issued by the Central Board of Direct Taxes (CBDT) the monetary limit for filing departmental appeals before the Tribunal stands enhanced and departmental appeals are not be filed before the Tribunal in cases where the tax effect does not exceed the specified monetary limits of INR 60 Lakhs. The aforesaid limit is also applicable to the pending appeals which are required to be withdrawn by the Revenue.
4. The tax effect in the present appeal is below the aforesaid specified monetary limit and therefore, the present appeal is dismissed as 'withdrawn/not pressed' in terms of the aforesaid circular. It is, however, clarified that in case on re-verification the Revenue comes to the conclusion that the tax effect is higher than the abovesaid specified monetary limit, or the appeal falls within the exemption clause as contained in Circular No.3/2018, dated 11/07/2018 as amended by the letter [F.No.279/Misc.142/2007-ITJ (PT)], dated 20/08/2018, then the Revenue would be at liberty to file Miscellaneous Application within the time prescribed under the Act for seeking recall the present order.

In the result, this appeal is dismissed as withdrawn.

Order pronounced on 09.10.2024.

Sd/-
(Ms. Padmavathy S)
Accountant Member

Sd/-
(Rahul Chaudhary)
Judicial Member

मुंबई Mumbai; दिनांक Dated : 09.10.2024
Milan, LDC

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त/ The CIT
4. प्रधान आयकर आयुक्त / Pr.CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई / DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार /(Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai