

आयकर अपीलीय अधिकरण, हैदराबाद पीठ
IN THE INCOME TAX APPELLATE TRIBUNAL
Hyderabad ' A ' Bench, Hyderabad

Before Shri Manjunatha, G. Accountant Member and
Shri K. Narasimha Chary, Judicial Member

आ.अपी.सं / **ITA No.77/Hyd/2024**
(निर्धारण वर्ष / Assessment Year: 2017-18)

Asstt. Commissioner of Income Tax, Circle 1 Kurnool	Vs.	Shri Subramanyam Reddivari, Dharmavaram PAN:AHAPR4235K
(Appellant)		(Respondent)
राजस्व द्वारा/Revenue by:	Shri Vamsi Krishna, DR	
निर्धारिती द्वारा/Assessee by:	Shri K.C. Devdas, CA	
सुनवाई की तारीख/Date of hearing:	10/10/2024	
घोषणा की तारीख/Pronouncement:	10/10/2024	

आदेश / ORDER

Per Manjunatha, G. A.M

This appeal filed by the assessee is directed against the order dated 4/12/2023 of the learned CIT (A)-NFAC Delhi, relating to A.Y.2017-18.

2. It is stated before us that the tax effect in this appeal is less than Rs.60 lakhs and therefore the Circular No.279 /Misc./M-74/2024-ITJ, dated 17th September, 2024 issued by the Central Board of Direct Taxes (CBDT) issued in amendment to Circular 5 of 2024 under Sec.268A(1) of the I.T. Act comes into play, wherein, the monetary limit for filing the appeals by

the Revenue before the ITAT and various High Courts as well as Apex Court are revised with an object of the reducing the tax litigation. Vide para 2 of the said circular (supra) it is stated that in cases where the tax effect in the appeals to be filed before the Appellate Tribunal does not exceed Rs. 60 lakhs appeals should not be filed. Thus, taking a note of CBDT Circular No.(F.279/Misc./M074/2024-ITJ),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 not pressed/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 falls 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.

3. Accordingly in the light of CBDT Circular No. No.(F.279/Misc./M074/2024-ITJ),dated 17/09/2024, the appeal filed by the Revenue stands dismissed.

Order pronounced in the open Court at the time of hearing itself i.e. on 10th October, 2024.

Sd/- (K. NARASIMHA CHARY) JUDICIAL MEMBER	Sd/- (MANJUNATHA, G.) ACCOUNTANT MEMBER
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Hyderabad, dated 10th October, 2024

Vinodan/sps

Copy to:

S.No	Addresses
1	ACIT, Cicle-1 Aayakar Bhavan, Opp: Childrens Park, NR Pet Kurnool
2	Shri Subramanyam Reddivari 15/23 Mamilapalli Road, Dharmavaram, Anantapur 515671
3	Pr. CIT - Kurnool
4	DR, ITAT Hyderabad Benches
5	Guard File

By Order