

IN THE INCOME TAX APPELLATE TRIBUNAL

NAGPUR BENCH, NAGPUR

BEFORE SHRI V. DURGA RAO, JUDICIAL MEMBER AND

SHRI K.M. ROY, ACCOUNTANT, MEMBER

ITA no.89/Nag./2023

(Assessment Year : 2020-21)

Dy. Commissioner of Income Tax
Central Circle-2(2), Nagpur

..... Appellant

v/s

Manoj Kumar Vishandas Kamnani
499, C/o Manoj V. Kamnani
Uthkana Chowk, Medical Road
Nagpur 440 018 PAN – AFLPK0602G

..... Respondent

C.O. no.2/Nag./2023

(Arising out of ITA no.89/Nag./2023)

(Assessment Year : 2020-21)

Manoj Kumar Vishandas Kamnani
499, C/o Manoj V. Kamnani
Uthkana Chowk, Medical Road
Nagpur 440 018 PAN – AFLPK0602G

..... Cross Objector
(Original Respondent)

v/s

Dy. Commissioner of Income Tax
Central Circle-2(2), Nagpur

..... Respondent
(Original Appellant)

Assessee by : Shri Himesh Demle

Revenue by : Shri Sandipkumar Salunke

Date of Hearing – 22/10/2024

Date of Order – 25/10/2024

ORDER

PER BENCH

Appeal by the Revenue and Cross Objection by the assessee are against the impugned order dated 27/01/2023, passed by the learned Commissioner

of Income Tax (Appeals)-3, Nagpur, [*learned CIT(A)*], for the assessment year 2020-21.

2. At the outset, the leaned Authorised Representative appearing for the assessee submitted that the tax effect on the amount disputed by the Revenue is below the revised monetary limit of ₹ 60 lakh applicable to appeals before the Tribunal, as per CBDT Circular no.09 of 2024, dated 17/09/2024. Thus, the learned A.R. submitted that the Revenue's appeals being covered under the aforesaid Circular are not maintainable.

3. The learned Departmental Representative agreed that the tax effect on the amount disputed by the Revenue is below the monetary limit of ₹ 60 lakh for both the years under consideration.

4. Having heard the arguments of rival parties, perused the material available on record and gone through the orders of the authorities below, we are of the view that the tax effect on the amount disputed by the Revenue in the present appeal is below the revised monetary limit of ₹ 60 lakh as per CBDT Circular cited supra. It also stands clarified by the CBDT that the revised monetary limit of ₹ 60 lakh, as per the aforesaid CBDT Circulars, would also apply to all pending appeals. In view of the aforesaid, Revenue's appeals deserve to be dismissed. However, the Revenue is given liberty to seek recall of this order if, at a later point of time, it is found that the appeal fall under any of the exceptions provided in the CBDT Circular referred to above.

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

Order pronounced in the open Court on 25/10/2024

Sd/-
K.M. ROY
ACCOUNTANT MEMBER

Sd/-
V. DURGA RAO
JUDICIAL MEMBER

NAGPUR, DATED: 25/10/2024

Copy of the order forwarded to:

- (1) *The Assessee;*
- (2) *The Revenue;*
- (3) *The PCIT / CIT (Judicial);*
- (4) *The DR, ITAT, Nagpur; and*
- (5) *Guard file.*

Pradeep J. Chowdhury
Sr. Private Secretary

True Copy
By Order

Sr. Private Secretary
ITAT, Nagpur