

IN THE INCOME TAX APPELLATE TRIBUNAL

DELHI BENCH "B", NEW DELHI

BEFORE SHRI SHAMIM YAHYA, ACCOUNTANT MEMBER,

AND

SHRI SUDHIR PAREEK, JUDICIAL MEMBER

ITA NO. 7340/Del/2019		
A.YR. : 2011-12		
ADDL. CIT, SPECIAL RANGE-3, NEW DELHI ROOM NO. G-22B, C.R. BUILDING, NEW DELHI – 110 002	VS.	DELHI POWER COMPANY LTD., SHAKTI SADAN, KOTLA ROAD, NEW DELHI – 110 002 (PAN: AABCD5265G)
(APPELLANT)		(RESPONDENT)

Appellant by : Ms. Chetna Jain, Adv.
Respondent by : Sh. Surender Pal, CIT(DR)

Date of hearing : 22.10.2024
Date of pronouncement : 23.10.2024

ORDER

PER SHAMIM YAHYA, AM :

The Revenue has filed the instant Appeal against the Order of the Ld. CIT(Appeal-34), New Delhi dated 17.06.2019, relating to assessment year 2011-12 on the following grounds:-

1. On the facts and in the circumstances of the case and in law, the Ld. CITA() has erred in deleting the addition of Rs. 1,49,04,000/- made by the AO on account of the interest income earned by the assessee during the A.Y. under considering without considering the arguments of AO mentioned in the assessment year.

2. On the facts and in the circumstances of the case and in law, the Ld. CIT(A) has erred in deleting the addition knowing the fact that the said amount was earned by the assessee as interest income on the fund kept by the assessee without any such direction received from Government of NCT of Delhi.

2. At the time of hearing, Ld. Counsel for the assessee has submitted that the tax effect in this appeal by the Revenue is below Rs. 60 lakhs. The CBDT in its Circular No.09/2024 dated 17.09.2024 has recently revised the monetary limit for filing of the departmental appeals to the ITAT at Rs. 60 lakhs. SHe has, therefore, requested that the Revenue's appeal may be dismissed.

3. At the time of hearing, Ld. DR fairly agreed that the tax effect in this appeal of the Revenue is below the prescribed limit.

4. In view of the above position, we deem it fit and proper to dismiss the appeal of the Revenue in the light of the latest Circular No.09/2024 of the CBDT dated 17.09.2024, as not maintainable.

5. In the result, the appeal of the Revenue is dismissed.

Order pronounced on 23/10/2024.

Sd/-
(SUDHIR PAREEK)
JUDICIAL MEMBER

Sd/-
(SHAMIM YAHYA)
ACCOUNTANT MEMBER

SRB

Copy forwarded to:-

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR, ITAT

Assistant Registrar