

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCH "B", PUNE

BEFORE SHRI R. K. PANDA, VICE PRESIDENT
AND
SHRI VINAY BHAMORE, JUDICIAL MEMBER

आयकर अपील सं. / ITA No.1354/PUN/2024
निर्धारण वर्ष / Assessment Year: 2017-18

ITO, Ward-14(1), Pune.	Vs.	Pratap Ganpatrao Pawar, Shop No.A 10, PMT Complex, Hadapsar, Pune- 411028. PAN : ADDPP6566C
Appellant		Respondent

Revenue by : Shri Arvind Desai
Assessee by : None

Date of hearing : 09.10.2024
Date of pronouncement : 12.11.2024

आदेश / ORDER

PER VINAY BHAMORE, JM:

This appeal filed by the Revenue is directed against the order dated 16.04.2024 passed by LD. CIT(A)/NFAC for the assessment year 2017-18.

2. It is stated before us that the tax effect in the present appeal is less than Rs.60 lakhs and therefore, the Circular No.09/2024 dated 17.09.2024 issued by the Central Board of Direct Taxes (CBDT) in exercise of its power vested under Sec.268A(1) of the IT Act

comes into play wherein, the monetary limit for filing the appeal by the Revenue before the ITAT and various High Courts as well as Apex Court are revised with an object of reducing the tax litigation. Vide para 5 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. And vide para 5 of the said circular (supra) it is also stated that in cases where the tax effect in the pending appeals before the Appellate Tribunal does not exceed Rs.60 lakhs, appeals should be withdrawn. Thus, taking a note of CBDT Circular No.09/2024, 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 are 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. Accordingly, in the light of CBDT Circular No.09/2024 dated 17/09/2024, the appeal filed by the Revenue stands dismissed.

3. In the result, the appeal filed by the Revenue stands dismissed.

Order pronounced on this 12th day of November, 2024.

Sd/-
(R. K. PANDA)
VICE PRESIDENT

Sd/-
(VINAY BHAMORE)
JUDICIAL MEMBER

पुणे / Pune; दिनांक / Dated : 12th November, 2024.

Sujeet

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

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The Pr. CIT/CIT concerned.
4. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, "B" बेंच, पुणे / DR, ITAT, "B" Bench, Pune.
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

Senior Private Secretary
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune.