

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

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

आ.अपी.सं / **ITA No.735/Hyd/2024**  
(निर्धारण वर्ष / Assessment Year: 2017-18)

ACIT, Circle-1 Nellore	Vs.	Shantilal Jain Nellore [PAN : AFLPS6759J]
(Appellant)		(Respondent)
निर्धारिती द्वारा / Assessee by:		
राजस्व द्वारा / Revenue by:		
सुनवाई की तारीख / Date of hearing:		
घोषणा की तारीख / Date of Pronouncement:		

आदेश / ORDER

**PER. MANJUNATHA G., A.M:**

This appeal filed by the Revenue is directed against the order dated 07.06.2024 of the learned Commissioner of Income Tax [Ld.CIT (A)], National Faceless Appeal Centre (NFAC), Delhi, pertaining 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 17.09.2024 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 on 19<sup>th</sup> December, 2024.

Sd/- <b>(K. NARASIMHA CHARY)</b> <b>JUDICIAL MEMBER</b>	Sd/- <b>(MANJUNATHA G.)</b> <b>ACCOUNTANT MEMBER</b>
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Hyderabad,  
Dated 19<sup>th</sup> December, 2024  
**L.Rama, SPS**

Copy to:

S.No	Addresses
1	Shri Kuncham Sarath Babu, ACIT, Circle-1, Nellore
2	Shri Shantilal Jain, Prop : Shantilal & Sons Jewellers, 23/973, Achari Street, Nellore
3	The Pr.CIT, Tirupathi
4	The DR, ITAT Hyderabad Benches
5	Guard File

*By Order*