

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH: 'SMC 1' NEW DELHI**

BEFORE SMT DIVA SINGH, JUDICIAL MEMBER

**ITA No.-2912/DEL/2016 (A.Y-2011-12) &
STAY No. 285/DEL/2016 (A.Y-2011-12)**

Samajutdhan Gramodhyaog Samiti V. Sabdalpur Sumali, P.O OSA Mafi, Tehsil Hasanpur, Distt, J. P. Nagar Uttar Pradesh AAEAS7463E (APPELLANT)	vs	ITO Ward-2(2) Moradabad (RESPONDENT)
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Appellant by	None
Respondent by	Sh. Amrit Lal, Sr. DR

Date of Hearing	31.08.2016
Date of Pronouncement	30.09.2016

ORDER

PER DIVA SINGH, JM

The present appeal alongwith the Stay Application has been filed by the assessee assailing the correctness of the order dated 9th March 2016 by CIT(A) Muradabad. However, at the time of hearing no one present on behalf of the assessee . The appeal was passed over. In the second round also, the position remained the same. Neither any one was present nor request for adjournment has been passed before the Bench. The record shows that the defect in shortage of Tribunal fee pointed out by the Registry remains not cured till date which fact was pointed out by the Registry on 30th May 2016. The appeal came up for hearing on 01.06.2016; 29.06.2016 and 12.07.2016 and on two occasions the assessee remained unrepresented and on 29.06.2016 adjournment was moved. Till date, the defect remains on record. In the absence of any efforts to cure the defect pointed out by the assessee in the afore-mentioned peculiar facts and circumstances it can be safely presumed that the assessee is not serious in pursuing the appeal filed. Respectfully following the appeal of the assessee is dismissed.

2. Since even in regard to the Stay Petition, no representation has been made on behalf of the assessee justifying that it be allowed the same is also dismissed.

3. In the result, the appeal and the stay petition filed by the assessee, both are dismissed.

The order is pronounced in the open court on 30th of September 2016.

Sd/-

**(DIVA SINGH)
JUDICIAL MEMBER**

R. Naheed/Amit Kumar

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR
ITAT NEW DELHI