

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'B', NEW DELHI**

Before Sh. L.P. SAHU, AM And MS. SUCHITRA KAMBLE, JM

ITA Nos. 789/Del/2012 : Asstt. Year : 2003-04

Dinesh Kumar & Sons (HUF) 337, West Amber Talab Roorkee	Vs	ITO Ward 1 Roorkee
(APPELLANT)		(RESPONDENT)
PAN No. AADHD5049K		

Assessee by : None

Revenue by : Ms. Anima Bornwal, Sr. DR

Date of Hearing : 11.05.2016	Date of Pronouncement : 12.05.2016
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ORDER

Per L.P. SAHU, AM:

The assessee has filed an appeal on 16/02/2012 which came up for hearing before the Bench on 17/04/2012 and on the request of the assessee case was adjourned for 11/09/2012. Again on 11/09/2012 the assessee filed an application for adjournment and bench adjourned the case for 14/01/2013. Again the case was fixed up for hearing on 23/05/2013. On 23.05.2013 written request made by the ld. AR of the assessee for adjournment the case and the bench adjourned the case for 21.10.2013. On 23.03.2014 the case was fixed for hearing, none present on behalf of the assessee. As per the order sheet this case was adjourned many times but lastly for hearing on 11/05/2016 by issuing notice through speed post to the assessee. Today we have received a notice unserved with the remarks by the postal authorities that the assessee has "left without any information".

2. Keeping in view the facts and circumstances are explained above, we are of the view that the assessee is not interested to prosecute the matter in dispute. The assessee has not supplied any fresh/new address for sending the notice of hearing of this case no useful purpose could be served to issue notice again and again to the assessee on the old address. We are dismissing the present appeal for non prosecution with liberty to the assessee, if so advised the assessee can file application for recalling of this order that would be decided as per law.

3. In the result, the appeal is dismissed as un-admitted.

Order Pronounced in the Court on 12.05.2016

Sd/-
(SUCHITRA KAMBLE)
JUDICIAL MEMBER

Dated: 12.05.2016

*Kavita Arora

Sd/-
(L.P. SAHU)
ACCOUNTANT MEMBER

Copy forwarded to:

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

ASSISTANT REGISTRAR

		Date	
1.	Draft dictated on	11.05.2016	PS
2.	Draft placed before author	12.05.2016	PS
3.	Draft proposed & placed before the second member		JM/AM
4.	Draft discussed/approved by Second Member.		JM/AM
5.	Approved Draft comes to the Sr.PS/PS	12.05.2016	PS/PS
6.	Kept for pronouncement on	12.05.2016	PS
7.	File sent to the Bench Clerk	12.05.2016	PS
8.	Date on which file goes to the AR		
9.	Date on which file goes to the Head Clerk.		
10.	Date of dispatch of Order.		