

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH: "SMC-3" NEW DELHI**

BEFORE SMT DIVA SINGH, JUDICIAL MEMBER

**I.T.A .No.-5818/Del/2015
(ASSESSMENT YEAR-2010-11)**

Lakhani Platinum Lifestyle Pvt.Ltd., Plot No.1340, Sector-14, Faridabad. PAN-AAECP0053F (APPELLANT)	Vs	ACIT, Circle-II, Faridabad. (RESPONDENT)
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Assessee by	None
Revenue by	Sh.B.Ramanjaneyulu, Sr.DR

Date of Hearing	11.08.2016
Date of Pronouncement	17.10.2016

ORDER

PER DIVA SINGH, JM

The present appeal has been filed by the assessee assailing the correctness of the order dated 29.04.2015 of the CIT(A), Faridabad pertaining to 2010-11 on various grounds.

2. However, no one was present on behalf of the assessee at the time of hearing. The appeal was passed over twice. Even in the third round, the position remained the same as neither the assessee is represented nor there is any adjournment on record. The record shows that the notice was sent to the assessee on 24.06.2016 at the address indicated in Column No.10, despite this the assessee remained unrepresented till the date of passing of the order. It is further seen that the said notice has not come back unserved. Accordingly, in the peculiar facts and circumstances of the present case, it can be safely presumed that the assessee is not serious in pursuing the present appeal. Accordingly in the absence of any representation or petition seeking time, the only alternative left is to dismiss the appeals of the assessee in limine. Support is drawn from the order of the Tribunals in Commissioner of Income-Tax vs. Multi Plan India (P) Ltd.; 38 ITD 320 (Del) and Estate of Late Tukojirao Holkar vs. CWT: 223 ITR 480 (M.P).

3. Before parting it is appropriate to add that in case the assessee is able to show that there was a reasonable cause for non-representation on the date of hearing, it would be at liberty if so advised to pray for a recall of this order. The said order was pronounced on the date of hearing itself in the open Court.

4. In the result, the appeal of the assessee is dismissed.

The order is pronounced in the open court on 17th of October, 2016.

**(DIVA SINGH)
JUDICIAL MEMBER**

Amit Kumar

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI