

THE INCOME TAX APPELLATE TRIBUNAL
"B" Bench, Mumbai
Before Shri B.R. Baskaran (AM)& Shri Ravish Sood (JM)

I.T.A. No. 6293/Mum/2014
(Assessment Year 2011-12)

Nadiadwala Entertainment & Technologies Limited Barkat, Plot No. 20 Gulmohar, Cross Road No.5, JVPD Mumbai-400 049.	Vs.	ITO TDS 2(4) 8 th Floor Charni Road Mumbai.
(Appellant)		(Respondent)

PAN No. AACCN0187E

Assessee by	None
Department by	Mrs. Jyotilakshmi Nayak
Date of Hearing	21.3.2017
Date of Pronouncement	21.3.2017

ORDER

Per B.R. Baskaran (AM) :-

The appeal filed by the assessee is directed against the order dated 8.7.2014 passed by the learned CIT(A)-14, Mumbai and it relates to A.Y. 2011-12.

2. None appeared on behalf of the assessee even though notice of hearing was sent by registered post to the assessee. Hence, we proceed to dispose of the appeal ex-parte, without presence of the assessee.

3. We have heard learned Departmental Representative and perused the record. We noticed that the Assessing Officer levied interest u/s. 201(1A) of the Act on short deduction of tax and also for belated payment of tax deducted at source. The assessee challenged the same before the learned CIT(A) and the first appellate authority confirmed the order passed by the Assessing Officer by following the decision rendered by Hon'ble Bombay High Court in the case of Benett Coleman (157 ITR 812), wherein it was held that levy of interest is

compensatory in nature. Accordingly, he dismissed the appeal of the assessee. Aggrieved by the order passed by the learned CIT(A), the assessee has filed this appeal before us.

4. We noticed that the learned CIT(A) has passed the order by following the decision of Hon'ble Jurisdictional High Court referred supra. Before us, the assessee has not filed any material to contradict the findings given by the learned CIT(A). Hence, we do not have any other option but to confirm the order passed by the learned CIT(A).

5. In the result, appeal filed by the assessee is dismissed.

Order has been pronounced in the Court on 21.3.2017.

Sd/-
(RAVISH SOOD)
JUDICIAL MEMBER

Sd/-
(B.R.BASKARAN)
ACCOUNTANT MEMBER

Mumbai; Dated : 21/3/2017

Copy of the Order forwarded to :

1. The Appellant
2. The Respondent
3. The CIT(A)
4. CIT
5. DR, ITAT, Mumbai
6. Guard File.

//True Copy//

BY ORDER,

(Dy./Asstt. Registrar)
ITAT, Mumbai

PS