



% 17.09.2009

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Present: Mr. Sanjeev Sabharwal, Adv. for the appellant.
Mr. Anoop Sharma with Mr. Manu K. Giri, Adv. for the respondent.

+CM Appl. No. 4296/2009 in ITA No. 279/2008

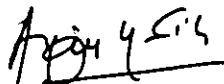
Though this appeal was admitted vide orders dated 26.09.2008. This was an *ex parte* admission. After notice was issued to the respondent/assessee, the present application is preferred by him in which it is pointed out that the tax effect is much less than Rs. 4 lakhs. It is pointed out that Tribunal has maintained the order of the CIT(A) by confirming the disallowance to the extent of Rs.9,01,961/- and giving relief to the extent of Rs.1,09,517/-. Tax effect thereupon would be Rs.30,000/- to Rs.35,000/-. Number of opportunities were given to the Revenue to look into this aspect, but no reply is filed. On going through the orders passed by the AO himself under Section 254 of the Income Tax Act giving effect to the order of the Tribunal, the aforesaid averments of the assessee get confirmed.

In these circumstances, the prayed made in this application is allowed.



ITA No.279/2008

Appeal is dismissed on the afore-mentioned ground.


A.K. SIKRI, J.


VALMIKI J. MEHTA, J.

September 17, 2009
pmc