

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI "G" BENCH: NEW DELHI**

(THROUGH VIDEO CONFERENCING)

**BEFORE SHRI KUL BHARAT, JUDICIAL MEMBER &
DR.B.R.R.KUMAR, ACCOUNTANT MEMBER**

**ITA No.4270/Del/2017
Assessment Year : 2012-13**

Unitech Holdings Ltd., C/o-Luthra & Luthra Law Ofices, 103, Ashoka Estate, Barakhamba Road, New Delhi-110001. PAN-AAACU0237C	vs	DCIT, Cricle-27(1), New Delhi.
APPELLANT		RESPONDENT
Appellant by		None
Respondent by		Sh.H.K.Chaudhary, CIT DR
Date of Hearing		28.07.2021
Date of Pronouncement		28.07.2021

ORDER

PER KUL BHARAT, JM :

This appeal filed by the assessee for the assessment year 2012-13 is directed against the order of Ld. CIT(A)-10, New Delhi dated 30.03.2017. The assessee has raised following grounds of appeal:-

- 1. "The order passed by the Learned Commissioner of Income Tax (Appeals) ("Ld. CIT(A)") under section 250(6) of the Act is bad in law and on the facts and circumstances of the case.*
- 2. The Ld.CIT(A) has erred in law and on the facts and circumstances of the case in upholding the order of the Learned Assessing Officer charging notional interest amounting to Rs.13,80,08,663/- on share application money advanced by the appellant to its subsidiary/joint venture/associate companies.*
- 3. The Ld.CIT(A) has erred in law and on the facts and circumstances of the case in confirming the disallowance u/s 14A to the extent of exempt income i.e. Rs.289,315/-.*

4. *The above grounds of appeals are independent and without prejudice to one another.”*

2. No one appeared on behalf of the assessee at the time of hearing. The notice of hearing was sent through speed post to the address provided by the assessee which is returned back with remark *“refused to take delivery of the letter”*. The notice is returned back unserved.

3. Ld. CIT DR submitted that appeal of the assessee be dismissed.

4. We have heard the Ld. CIT DR and perused the material available on record. In these facts and circumstances, it appeared that the assessee is not interested in prosecuting the present appeal. Since none appeared on behalf of the assessee despite service of notices therefore, following the decision of Hon’ble Supreme Court in the case of *CIT vs B. N. Bhattacharya (1997) 118 ITR 461 (SC)* and decision of Delhi Tribunal in the case of *CIT vs Multiplan India Pvt. Ltd. reported in 38 ITD 320 (Del.)*. We hereby dismissed the appeal of the assessee for want of prosecution.

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

Above decision was pronounced on conclusion of Virtual Hearing on 28th July, 2021.

Sd/-

(DR.B.R.R.KUMAR)
ACCOUNTANT MEMBER

Amit Kumar

Sd/-

(KUL BHARAT)
JUDICIAL MEMBER

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT, NEW DELHI