IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCHES "K", MUMBAI

BEFORE SHRI PRAMOD KUMAR, HON'BLE VICE PRESIDENT AND

SHRI SAKTIJIT DEY, HON'BLE JUDICIAL MEMBER

ITA No. 2935/MUM/2019
Assessment Year: 2014-15

Dy. Commissioner of Income Tax 10(2)(1), 5th Floor, Room No. 509, Aaykar Bhawan, Churchgate, Mumbai - 400020	**Vs.**	M/s J.P. Morgan Services (I) Pvt. Ltd., Level 9 to 11, Link Road 707, Prism Tower, Mindspace, Goregaon (West), Mumbai - 400104 PAN: AABCD0503B
(Appellant)		**(Respondent)**

Revenue by : Shri Sushil Kumar Mishra (DR)

Assessee by : Shri Divesh Chawla (AR)

Date of Hearing : 02/08/2021
Date of Pronouncement: 02/08/2021

O R D E R

PER SAKTIJIT DEY, JM

Captioned appeal by the revenue arises out of order dated 28.02.2019 of learned Commissioner of Income Tax (Appeals)-55, Mumbai for the assessment year 2014-15.

2. At the outset, drawing our attention to Column No. 10 of the Memorandum of appeal filed by the Department in Form No. 36, the learned counsel for the assessee submitted that the tax effect on the amount disputed by the revenue is below the monetary limit of Rs. 50 lacs. Thus, he submitted, the appeal is not maintainable.

3. Learned Departmental Representative fairly conceded to the aforesaid factual position.

4. Having considered rival submissions, we find from record that as per the revenues own admission, the tax effect on the amount disputed in the present appeal is Rs. 36.96 lacs. As per circular No. 17/2019 dated 08.08.2019 the monetary limit for filing appeal before the Tribunal by the Department is fixed at Rs. 50 lacs and above. No material has been brought to our notice, to suggest that the present appeal is protected by any of exceptions to the aforesaid circular.

5. In view of the above, we treat the appeal as not maintainable. Hence, deemed to have been withdrawn.

6. In the result, appeal is dismissed.

Order pronounced in the open court on 2nd August, 2021.

Sd/-	*Sd/-*
(PRAMOD KUMAR)	(SAKTIJIT DEY)
VICE PRESIDENT	JUDICIAL MEMBER

मुंबई Mumbai; दिनांक Dated: 02/08/2021

Alindra, PS

आदेश प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त (अपील) / The CIT(A)-
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, मुंबई / DR, ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार (Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई **/ ITAT, Mumbai**