

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

INCOME TAX TRIBUNAL APPEAL NO: 52 OF 2009

Appeal filed under Section 260-A of the Income Tax Act, 1961 against the Order dated 27-02-2009 passed in I.T.A.No. 1144/Hyd/2007 for Assessment year 2004-05 on the file of the Income Tax Appellate Tribunal, Hyderabad Bench 'B', Hyderabad preferred against the Order dated 12.11.2007 passed in Appeal No.0316/06-07/Cir-7(1)/Hyd/CIT(A)-VI/2007-08 on the file of the Commissioner of Income Tax (Appeals) – VI, Hyderabad for Assessment Year 2004-05, preferred against the Assessment Order dated 24.10.2006 passed in PAN/GIR No. AAPPG6558C/1P/712 on the file of the Income Tax Officer, Ward NO.7(1), Hyderabad.

Between:

Shri G.S. Prabhakar, 10-2-289/111, Shantinagar, Hyderabad.

...APPELLANT

AND

Income Tax Officer, Ward-7[1], Hyderabad.

...RESPONDENT

ITTAMP. NO: 348 OF 2009

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to refund the amount of Rs. 9,92,000/- paid by the petitioner under protest for the assessment year 2004-05.

ITTAMP. NO: 347 OF 2009

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the remand proceedings of the petitioner / appellant before the Additional Commissioner of Income tax, Range 7,2nd Floor, IT Towers, AC Guards,

Hyderabad, initiated pursuant to the order of the appellate Tribunal Hyderabad remanding the matter back to the Assessing officer for the Assessment Year 2004-05

**Counsel for the Appellants : Ms.K.PRABHABATI,
REP.SRI. A.V.RAGHU RAM**

**Counsel for the Respondent : SRI J.V.PRASAD
Senior Standing Counsel FOR INCOME TAX**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

INCOME TAX TRIBUNAL APPEAL No.52 of 2009

JUDGMENT: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Ms. K.Prabhabati, learned counsel representing Mr. A.V.Raghu Ram, learned counsel for the appellant.

Mr. J.V.Prasad, learned Senior Standing Counsel for Income Tax Department for the respondent.

2. Ms. K.Prabhabati, learned counsel submits that the appellant has expired last month and the legal representatives of the appellant do not want to prosecute the appeal.

3. The aforesaid submission is placed on record.

4. The appeal is therefore dismissed for want of prosecution.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

A.V.S.C.S.M. SARMA
JOINT REGISTRAR

SECTION OFFICER

To,

1. The Registrar, Income Tax Appellate Tribunal, Hyderabad Bench 'B', Hyderabad
2. The Commissioner of Income Tax (Appeals) – VI, Hyderabad
3. The Income Tax Officer, Ward NO.7(1), Hyderabad.
4. One CC to Sri A.V.Raghu Ram, Advocate (OPUC)

...Contd.

5. One CC to Sri J.V.Prasad, Senior Standing Counsel for Income Tax
Department.(OPUC)

6. Two CD Copies

Ks/gh

CHR

HIGH COURT

DATED:07/01/2025



JUDGMENT

ITTA.No.52 of 2009

**Dismissing the ITTA for Non Prosecution.
Without costs.**

⑧ CHR
12/2/25