IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF APRIL 2015

PRESENT

THE HON'BLE MR.JUSTICE N.K. PATIL

AND

THE HON'BLE MRS.JUSTICE RATHNAKALA

I.T.A.No.966/2006

BETWEEN:

1.THE COMMISSIONER OF INCOME TAX
CENTRAL CIRCLE,
C.R.BUILDING, QUEENS ROAD
BANGALORE

2.THE JOINT COMMISSIONER OF
OF INCOME
INCOME TAX(ASST.)
SPECIAL RANGE-6
C.R.BUILDING,
QUEENS ROAD,
BANGALORE. ... APPELLANTS

(BY SRI. G. KAMALADHAR, ADVOCATE)

AND

SHRI H B DATAR
NO.19/1, SAI KRUPA
BELLARY ROAD
SADASHIVANAGAR
BANGALORE
(DIED ON 10.3.2013)

LRs OF DECEASED SRI.H.B.DATAR

1. MR. MANJUNATH H DATAR,
S/O LATE H.B.DATAR
AGED ABOUT 49 YEARS
R/A NO.19/1,
"SAIKRUPA" BELLARY ROAD,
SADASHIVANAGAR,
BANGALORE-560080.
(ORDER DATED 16.10.2012)

2. SMT. PADMAJA KIRLOSKAR
AGED ABOUT 63 YEARS
KIRLOSKAR HOUSE,
HEBBAL, KEMPAPURA,
BANGALORE
(ORDER DATED 6.1.2015)

3. SMT. KAVITHA KHER
R/AT.201, BLOSOM VILLAGE,
JAYAMAHAL ROAD,
MILLERS ROAD,
BANGALORE.
(ORDER DATED 6.1.2015)

... RESPONDENTS

(LR 1, LR2, LEARNED COUNSEL APPEARING FOR THE RESPONDENT-3- SERVED AND UNREPRESENTED)

THIS ITA IS FILED U/S.260-A OF I.T.ACT, 1961 ARISING OUT OF ORDER DATED 23-12-2005 PASSED IN ITA NO. 134/BANG/2002, FOR THE ASSESSMENT YEAR 1997-98, PRAYING THAT THIS COURT MAY BE PLEASED TO:

I. FORMULATE THE SUBSTANTIAL QUESTIONS OF LAW STATED THEREIN,

II. ALLOW THE APPEAL AND SET ASIDE THE ORDER PASSED BY THE ITAT BANGALORE IN ITA NO.

134/BANG/2002 DATED 23-12-2005 CONFIRMING THE ORDER OF APPELLATE COMMISSIONER & CONFIRM THE ORDER PASSED BY THE JOINT COMMNR.,OF INCOME TAX,(ASST.) SPECIAL RANGE-6, BANGALORE, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL COMING ON FOR ORDERS THIS DAY, **N.K.PATIL, J** DELIVERED THE FOLLOWING:-

JUDGMENT

The learned counsel appearing for the appellant submitted that Mr.Manjunath H Data (1st LR) the son of the assessee Late Sri. H.B. Datar is also reported to have died on 10.3.2013.

His submission is placed on record.

Till date, steps have not been taken to bring LRs of the deceased LR No.1 within the prescribed time. Hence, the appeal filed by the appellant is dismissed as abated.

Sd/-
JUDGE

Sd/-
JUDGE

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