

OD – 22

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction [Income Tax]

ORIGINAL SIDE

ITAT/246/2025

IA NO: GA/1/2026, GA/2/2026

PRINCIPAL COMMISSIONER OF INCOME TAX 1 KOLKATA

VS

GILT COMMODITIES PRIVATE LIMITED

BEFORE :

THE HON'BLE JUSTICE RAJARSHI BHARADWAJ

And

THE HON'BLE JUSTICE UDAY KUMAR

Date : 18th March, 2026

Appearance :

Mr. Soumen Bhattacharjee, Adv.

Mr. Raunak Seal, Adv.

...for appellant.

The Court : Heard learned counsel for the appellant. No one appears for the respondent/assessee.

There is a delay of 329 days in filing the appeal. We are satisfied with the explanation offered for not preferring the appeal within time. Therefore, the delay is condoned. The application is allowed.

IA No.GA/1/2026 is disposed of.

Learned counsel appearing for the appellant submits that the tax effect in the instant appeal is Rs.36,89,350/- for the Assessment Year 2012-13. Although the tax effect in the instant case is less than the prescribed limit of CBDT Circular but the instant case falls under the exceptional clause (h) of Para No.3.1 of the CBDT's latest Circular No.05/2024 dated 15.03.2024.

Perused the application and the impugned order of assessment as well as the Tribunal's order dated 23rd July, 2024. We do not find any application of the exceptional clause which may merit for consideration of the matter which is below the monetary limit as prescribed in the Circular No.05/2024 dated 15.3.2024.

Thus, the appeal and the application [GA/2/2026] stand dismissed.

(RAJARSHI BHARADWAJ, J.)

(UDAY KUMAR, J.)

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