

## **Appeal filed by AO could not be proceeded with during continuance of proceedings under IBC: ITAT**

**INCOME TAX/IBC: Where corporate insolvency proceedings under provisions of Insolvency and Bankruptcy Code, 2016 were pending against assessee, instant appeal filed by revenue could not be proceeded with during continuance of proceedings under Code**

Section [253](#) of the Income-tax Act, 1961, read with sections [13](#) and [14](#) of the Insolvency and Bankruptcy Code, 2016 - Appellate Tribunal - Appeals to (IBC proceedings, effect of) - Assessment year 2013-14 - Revenue against order of Commissioner (Appeals) filed appeal before Tribunal - Whether as corporate insolvency resolution proceedings under provisions of Insolvency and Bankruptcy Code, 2016 (Code) were pending against assessee and as of now National Company Law Appellate Tribunal was seized with jurisdiction, for time being appeal filed by revenue could not be proceeded with during continuance of proceedings under Code - Held, yes - Whether however depending upon results of such proceedings before Adjudicating Authority in respect of corporate debtor, appropriate steps, if any, might be taken by revenue - Held, yes [Para 4] [In favour of assessee]

**Click below link for the judgment:**

<https://www.taxmann.com/research/direct-tax-laws/top-story/10101000000327808/appeal-filed-by-ao-could-not-be-proceeded-with-during-continuance-of-proceedings-under-ibc-itat-caselaws>

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