

**IN THE INCOME TAX APPELLATE TRIBUNAL "C" BENCH: KOLKATA**

Before: **Shri J. Sudhakar Reddy, Accountant Member and  
Shri S.S. Viswanethra Ravi, Judicial Member**

**I.T.A No.1212/Kol/2015**  
(Assessment Year: 2012-13)

**Income Tax Officer, Ward-4(1), Kolkata**  
Vs

Appellant

**M/s Trimudra Credit Ltd.**  
[PAN: AABCT 0282 B]

Respondent

For the Appellant : Shri P. K. Srihari, CIT, DR  
For the Respondent : Shri Manish Tiwari, AR

Date of hearing : 08.01.2019  
Date of pronouncement : 11.01.2019

**ORDER**

**Shri S.S. Viswanethra Ravi, JM:**

This appeal by the Revenue against the order dated 30.06.2015 passed by the Commissioner of Income Tax (Appeals)-2, Kolkata ['CIT(A)'] for Assessment Year 2012-13.

2. The only issue is to be decided as to whether the CIT is justified in deleting the addition made by the Assessing Officer on account of unexplained cash credit u/s 68 of the Act.

3. Heard both parties and perused the materials available on record. The Id. AR submits that the additions made u/s 68 of the Act by the Assessing Officer on the ground that the assessee failed to justify his return with evidences in respect of primary sources of its capital raised. The Assessing Officer did not consider the facts relating to the assessee in a proper way and prayed to remand the matter to the file of the Assessing Officer for his fresh consideration.

The Id. DR reported no objection in remanding the matter to the file of Assessing Officer only on the condition that the assessee shall comply all the objections raised by the Assessing Officer in respect of addition made by the Assessing Officer involving the share capital and share premium. Taking into consideration the submissions of the Id. AR & DR and in the facts and circumstances of the case, we deem it proper to remand the matter to the file of the Assessing Officer for fresh consideration. The assessee is at liberty to file evidences, if any, in support of its claim. The ground raised by the Revenue is allowed for statistical purposes.

4. In the result, the appeal of the Revenue is allowed for statistical purposes.

Order pronounced in the open court on 11.01.2019.

**Sd/-**  
**[J. Sudhakar Reddy]**  
**Accountant Member**

**Sd/-**  
**[S.S. Viswanethra Ravi]**  
**Judicial Member**

Dated :11.01.2019  
Place : Kolkata  
RS, Sr.PS

Copy of the order forwarded to:

1. Appellant –ITO, Ward-4(1), Kol, P-7, Chowringhee Square, 8<sup>th</sup> Floor, Kol- 700 069.
2. Respondent – M/s. Trimudra Credit Ltd., 8, Lyons Range, Ground Floor, Kol-1.
3. The CIT(A), Kolkata
4. CIT , Kolkata
5. DR, Kolkata Benches, Kolkata

//True Copy//

By order,  
Assistant Registrar,  
ITAT, Kolkata