

**IN THE INCOME TAX APPELLATE TRIBUNAL, RANCHI, 'E' COURT, AT KOLKATA**

**BEFORE SHRI S.S. GODARA, JM & DR. A.L.SAINI, AM**

**आयकरअपीलसं./ITA No.89/Ran/2019**

**(निर्धारणवर्ष / Assessment Year:2014-15)**

<b>Tara Devi</b>	<b>Vs.</b>	<b>ACIT, Circle-3, Ranchi</b>
<b>C/o, D.P. Paul (FCA), 718/A, Nabin Mitra Road, near Sumsung Plaza, Burdwan Compound, Lalpur, Ranchi</b>		
<b>स्थायीलेखासं./जीआइआरसं./PAN/GIR No.: BNSPD 3225 J</b>		
<b>(Appellant)</b>	<b>..</b>	<b>(Respondent)</b>

Appellant by : None

Respondent by :Shri A. K. Mohanti, Addl. CIT Sr. DR

सुनवाईकीतारीख/ Date of Hearing : 13/07/2020

घोषणाकीतारीख/Date of Pronouncement : 31/07/2020

**आदेश / O R D E R**

**Per Bench (Oral):**

This assessee's appeal for assessment year 2014-15 is directed against the CIT(A)-Ranchi's order dated 27/11/2018 passed in case no. CIT(A), Ranchi/10061/2017-18 involving penalty proceedings u/s 271(1)(c) of the Income Tax Act, 1961 ( in short the 'Act').

Case called twice. None appeared at the assessee's behest. She is accordingly proceeded as ex parte.

2. With the able assistance of ld. Sr. DR, we notice from a perusal of AO's penalty order dated 29.06.2017 that he has levied the impugned penalty of Rs. 2,95,610/- in the ground that the assessee had declared actual sale consideration of Rs. 1,40,000/- as against that stamp value for purpose of registration to the tune of Rs.

15.75 lakh. There is no indication in either of the lower authorities' order that the said sale deed involved on money or cash as transaction since it is a case of stamp value adopted for the purpose of registration only. We hold in view of this clinching aspect it is neither a case of concealment nor that of furnishing inadequate particulars of income u/s 271(1)(c ) of the Act. This penalty is directed to be deleted therefore.

3. In the result, the assessee's appeal is allowed.

**Order pronounced in the Court on 31.07.2020**

**Sd/-**

**(A.L.SAINI)**

**लेखासदस्य / ACCOUNTANT MEMBER**

**Sd/-**

**(S.S.GODARA)**

**न्यायिकसदस्य / JUDICIAL MEMBER**

**कोलकाता /Kolkata;**

**दिनांक/ Date: 31/07/2020**

**SB, Sr.PS**

**Copy of the order forwarded to:**

1. Tara Devi
2. ACIT, Circle-3, Ranchi
3. C.I.T(A)-
4. C.I.T.- Ranchi
5. CIT(DR), Ranchi Bench, Ranchi .
6. Guard File.

True copy

By Order

Assistant Registrar  
ITAT, Ranchi Bench