

**IN THE INCOME TAX APPELLATE TRIBUNAL  
HYDERABAD BENCHES : BENCH "B" HYDERABAD**

**(Through Video Conference)**

**BEFORE SHRI S.S. GODARA, JUDICIAL MEMBER  
AND  
SHRI L.P. SAHU, ACCOUNTANT MEMBER**

**I.T.A. Nos. 1778 to 1782/Hyd./2018  
A.Ys : 2008-09, 2011-12, 2012-13, 2014-15 & 2015-16**

The District Cooperative Central Bank Limited  
Mahaboobnagar

**vs.** ACIT  
Circle 5(1)  
Hyderabad

[PAN: AAAAT4794K]

(Appellant)

(Respondent)

For Assessee: Shri S Rama Rao, AR  
For Revenue: Shri Narayana Murthy Naik, D.R.

Date of Hearing : 11/05/2021  
Date of Pronouncement : 28/05/2021

**ORDER**

**PER S.S. GODARA, J.M.**

These assessee's five appeals arise against the CIT(A)-4 Hyderabad's orders dated 19.04.2018 passed in case no. 0213/2018-19 for A.Y. 2008-09, followed by his common order dated 18.6.2018 in appeal nos.0077,0078, 0079, 0075/2018-19 for A.Ys 2011-12 to 2012-13 and 2014-15 to 2015-16 involving proceedings u/s 143(3) r.ws. 147 in the first and u/s 271 FA of the Income Tax Act, 1961; for short 'the Act'; in the latter four instances; respectively.

Heard both the parties. Case file perused.

2. We notice at the outset that the CIT(A)'s lower appellate orders under challenge in all these five cases inter-alia affirming the Assessing Officer's

action taking recourse to sec147/148 proceedings followed by addition of Rs. 6,92,75,784/- representing the provision made as per NABARD guidelines in first and imposing sec.271FA penalties on account of failure in reporting specified transactions; respectively, have been passed ex parte.

3. Mr. Naik vehemently argued that the CIT(A)'s both orders under challenge have made it clear that he had afforded adequate opportunities to the assessee which the latter failed to avail. He is unable to rebut the basic fact that neither of the CIT(A)'s orders has dealt with merits of the corresponding issues in all these five Assessment Years.

4. Faced with this situation, we deem it appropriate that larger interest of justice would be met in case the learned CIT(A) examines all the issues raised herein afresh in light of sec.250(6) of the Act after framing points of determination followed by detailed adjudication; within three effective opportunities of hearing. We order accordingly.

These assessee's five appeals are allowed for statistical purposes in foregoing terms. A copy of this common order be placed in the respective case files.

Pronounced in Open Court on 28<sup>th</sup> May, 2021.

**Sd/-**  
**(L.P. SAHU)**  
**ACCOUNTANT MEMBER**

**Sd/-**  
**(S.S. GODARA)**  
**JUDICIAL MEMBER**

Dated: the 28<sup>th</sup> May, 2021.

\* gmv

Copy of the Order forwarded to:

1. The District Co-operative Central Bank Limited, D.No. 1-6-144/5A, P.B.No.14, Opp. District Court, Mahaboobnagar 509 001
2. ACIT, Circle 5(1), Hyderabad
3. ACIT, Range 5, Hyderabad.
4. CIT(A)-4, Hyderabad
5. Pr.CIT-4, Hyderabad
6. DR, ITAT, Hyderabad.
7. Guard File.