

**IN THE INCOME TAX APPELLATE TRIBUNAL "B"**  
**(Virtual Court Hearing) BENCH KOLKATA**

**Before Shri Sanjay Garg, Judicial Member and Dr. M. L. Meena, Accountant Member**

**I.T.A. No.1089/Kol/2019**  
Assessment Year: 2014-15

**M/s Reposit Finco Private Limited.....Appellant**  
**3<sup>rd</sup> Floor, Room No.2, The Regency,**  
**6, Hunger Ford Street, Minto Park,**  
**Kolkata-700017 .**  
**[PAN: AABCR2209N]**

**vs.**

**ITO, Ward-10(4), Kolkata.....Respondent**

**Appearances by:**

Shri Sunil Surana, A.R, appeared on behalf of the appellant.

Shri Manish Kanojia, CIT-DR, appeared on behalf of the Respondent.

Date of concluding the hearing : August 05, 2021

Date of pronouncing the order : October 26, 2021

**Hearing through Video Conferencing**

**ORDER**

**Per Bench:**

The present appeal has been preferred by the assessee against the revision order dated 21.02.2019 of the Principal Commissioner of Income Tax (Appeals)-4, Kolkata (hereinafter referred to as 'PCIT') passed u/s 263 of the Income Tax Act (hereinafter referred to as the 'Act').

2. At the outset, the ld. counsel for the assessee has submitted that no show-cause notice/notice of hearing was ever received by the assessee from the ld. PCIT. He, in this respect, has invited our attention to Para 3 of the impugned order, wherein, the ld. PCIT has mentioned that the notice u/s 263 of the Act was served upon the assessee through affixation. It has not been pointed out that why the notice was issued through affixation. However, from the above observation, it is apparent that the show-cause notice u/s 263 of the Act was not served upon the assessee in normal course. Under these circumstances, the ld. counsel for the assessee has submitted that the assessee may be given opportunity to reply to the show-cause notice of the ld. PCIT and to present his case before the ld.

PCIT. The ld. DR has not objected to the same. In view of this, the impugned order of the ld. PCIT is set aside and the matter is restored to the file of the ld. PCIT for decision afresh. Needless to say that the ld. PCIT will give proper opportunity to the assessee to present his case.

3. In the result, the appeal of the assessee is treated as allowed for statistical purposes.

***Kolkata, the 26<sup>th</sup> October, 2021.***

Sd/-  
**[Dr. M. L. Meena]**  
**Accountant Member**

Sd/-  
**[Sanjay Garg]**  
**Judicial Member**

Dated: 26.10.2021.

RS

*Copy of the order forwarded to:*

1. M/s Reposit Finco Private Limited
2. ITO, Ward-10(4), Kolkata
3. CIT(A)-
4. CIT- ,
5. CIT(DR),

//True copy//

By order

Sr.PS/D.D.O, Kolkata Benches