

**आयकर अपीलीय अधिकरण "ए" न्यायपीठ पुणे में।**  
**IN THE INCOME TAX APPELLATE TRIBUNAL "A"**  
**BENCH, PUNE**

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER**  
**AND SHRI INTURI RAMA RAO, ACCOUNTANT MEMBER**

**आयकर अपीलसं. / ITA No.2305/PUN/2017**  
**निर्धारणवर्ष / Assessment Year : 2011-12**

M/s.Chandan Impex, 186, Jai Gandhi Complex, Market Yard, Pune – 411037. PAN: AAGFC 4553 Q	Vs .	The DCIT, Circle-2, Pune.
Appellant/ Assessee		Respondent /Revenue

Assessee by	Shri V L Jain – AR
Revenue by	Shri Ramnath P Murkude – DR
Date of hearing	05/09/2022
Date of pronouncement	06/09/2022

**आदेश/ ORDER**

**Per S.S.Godara, JM:**

This assessee's appeal for Assessment Year 2011-12 is directed against the Commissioner of Income Tax(Appeals)-4, Pune's order dated 19.05.2017 passed in case no.PN/CIT(A)-4/DCIT, Circle-2, Pune/683/2013-14/339, in proceedings u/s.143(3) r.w.s 147 of the Income Tax Act, 1961 [in short "the Act"].

Heard both the parties. Case file perused.

2. After having vehemently argued the assessee's main as well as additional substantive grounds challenging correctness of both the lower authorities action making section 68 addition of Rs.1,13,56,400/- involving unsecured loans on both legality as well as merits, Mr.Jain invited our attention to its detailed rectification

petition filed before the Id.CIT(A)'s dated 21.09.2017 followed by reminder dated 03.09.2018(pages 57 – 62 in paper book) that there are glaring factual and legal mistakes in the lower appellate discussion. And that the same is yet to be adjudicated upon.

3. The Revenue strongly supported the impugned addition made in both the lower proceedings.

4. We have given our thoughtful consideration to the foregoing rival pleadings and find merit in learned counsel's prayer seeking to withdraw the assessee's appeal with liberty to pursue the above-stated rectification petition before the CIT(A). It is further made clear that it shall be very much open for the assessee to challenge the CIT(A) consequential rectification order afresh as per law; if so advised. Ordered accordingly.

5. This assessee's appeal is dismissed as withdrawn in above terms.

Order pronounced in the open Court on 6<sup>th</sup> September, 2022.

**Sd/-**  
**(INTURI RAMA RAO)**  
**ACCOUNTANT MEMBER**

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

पुणे / Pune; दिनांक / Dated : 6<sup>th</sup> Sep, 2022/ SGR\*

**आदेशकीप्रतिलिपिअग्रेषित / Copy of the Order forwarded to :**

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(A), concerned.
4. The Pr. CIT, concerned.
5. विभागीयप्रतिनिधि, आयकर अपीलीय अधिकरण, "ए" बेंच,  
पुणे / DR, ITAT, "A" Bench, Pune.
6. गार्डफ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// TRUE COPY //

Senior Private Secretary  
आयकर अपीलीय अधिकरण, पुणे/ITAT, Pune.