

IN THE INCOME TAX APPELLATE TRIBUNAL, DELHI 'C' BENCH,
NEW DELHI

BEFORE SHRI N.K. BILLAIYA, ACCOUNTANT MEMBER, AND
SHRI ANUBHAV SHARMA, JUDICIAL MEMBER

ITA No. 1676/DEL/2022 [A.Y. 2010-11]

ITA No. 1677/DEL/2022 [A.Y. 2011-12]

ITA No. 1678/DEL/2022 [A.Y. 2013-14]

ITA No. 1679/DEL/2022 [A.Y. 2014-15]

ITA No. 1680/DEL/2022 [A.Y. 2015-16]

ITA No. 1681/DEL/2022 [A.Y. 2016-17]

The A.C.I.T
Circle - 13(1)
New Delhi

Vs.

KRBL Ltd
5190, Lahori Gate,
Delhi Dadar Bazar, Delhi

PAN - AAACK 4644 H

(Applicant)

(Respondent)

Assessee By : Shri Ajay Vohra, Sr. Adv
Shri Aditya Vohra, Adv
Shri Arpit Goyal, CA

Department By : Shri Gayasuddin Ansari, CIT- DR

Date of Hearing : 29.03.2023

Date of Pronouncement : 29.03.2023

ORDER

PER N.K. BILLAIYA, ACCOUNTANT MEMBER:-

The above captioned six separate appeals by the Revenue are preferred against the common order of the Id. CIT(A) - 27, New Delhi dated 21.05.2022 pertaining to Assessment Years 2010-11, 2011-12, 2013-14 to 2016-17.

2. Since common grievance is involved in all these appeals, they are decided by us by this common order for the sake of convenience and brevity.

3. The common grievance in the captioned appeals relates to the deletion of penalty levied u/s 271(1)(c)/271AAB of the Income-tax Act, 1961 [the Act, for short].

4. The common basis for the levy of impugned penalty are:

- (i) Addition made on account of difference in sale and purchase and commission paid for arranging bogus sales/purchase entries;

- (ii) Addition made on account of commission received from DMCC, Dubai; and
- (iii) Addition on account of unexplained cash and unaccounted stock.

5. We find that in the quantum addition, the appeals of the assessee were partly allowed by the first appellate authority against whose order both the assessee and the revenue approached this Tribunal, and the Tribunal in ITA Nos. 1196 to 1202/DEL/2020 in assessee's appeals and ITA Nos. 1338 to 1344/DEL/2020 in Revenue's appeals has deleted the quantum addition and allowed the assessee's appeals and dismissed the Revenue's appeals.

6. Since the quantum addition stands deleted, the ld. CIT(A) rightly deleted the impugned penalty. We, therefore, do not find any reason to interfere with the findings of the ld. CIT(A).

7. In the result, all the six appeals of the Revenue in ITA Nos. 1676 to 16818 are dismissed.

The order is pronounced in the open court on 29.03.2023.

Sd/-

**[ANUBHAV SHARMA]
JUDICIAL MEMBER**

Sd/-

**[N.K. BILLAIYA]
ACCOUNTANT MEMBER**

Dated: 29th March, 2023.

VL/

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar,
ITAT, New Delhi

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Date on which the typed draft is placed before the dictating Member	
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