

IN THE INCOME TAX APPELLATE TRIBUNAL  
PUNE BENCH "B", PUNE

BEFORE SHRI INTURI RAMA RAO, ACCOUNTANT MEMBER  
AND  
SHRI PARTHA SARATHI CHAUDHURY, JUDICIAL MEMBER

आयकर अपील सं. / ITA No.390/PUN/2023  
निर्धारण वर्ष / Assessment Year : 2014-15

Rahul Arunchand Jain, C/o Rupam Steel, Main Road, Songir, Dist. Dhule- 424309. PAN : ACYPJ8433C	Vs.	ITO, Ward-1, Dhule.
Appellant		Respondent

Assessee by : None  
Revenue by : Shri M. G. Jasnani  
Date of hearing : 21.06.2023  
Date of pronouncement : 05.07.2023

**आदेश / ORDER**

**PER INTURI RAMA RAO, AM:**

This is an appeal filed by the assessee directed against the order of the National Faceless Appeal Centre ['NFAC'] dated 07.03.2023 for the assessment year 2014-15.

2. Briefly, the facts of the case are that the appellant is an individual deriving income from the business of trading in gold and gold ornaments etc. The Return of Income for the assessment year 2014-15 was filed on 13.08.2016 declaring total income of Rs.7,96,682/-. Subsequently, the case was reopened u/s 147 of the Income Tax Act, 1961 ('the Act') and notice u/s 148 was issued on 07.07.2016. Against the said return of income, the assessment was

completed by the Income Tax Officer, Ward-2, Dhule ('the Assessing Officer') vide order dated 31.07.2017 passed u/s 143(3) r.w.s. 148 accepting the returned income. However, an appeal was filed before the NFAC claiming that the interest received on the compensation, received on acquisition of agricultural land is exempt from tax, cannot be brought to tax. The said appeal was filed with the delay of 1488 days. The NFAC not being satisfied with the reasons given for the condonation of delay had dismissed the appeal of the assessee *in limine* on the hands of limitation.

3. Being aggrieved, the appellant is in appeal before us in the present appeal.

4. Even before us, when the appeal was called on, none appeared on behalf of the assessee despite due service of notice of hearing. Therefore, we proceed to dispose of this matter considering the material on record and after hearing the ld. Sr. DR.

5. We heard the ld. Sr. DR and perused the material on record. We had carefully gone through the grounds of appeal filed before us. The appellant had not taken any plea as to how the NFAC was not justified in not condoning the delay. We had also gone through the reasons for condonation of delay filed before the NFAC. We are convinced that the NFAC is justified in not condoning the delay of 1488 days, as the assessee could not properly explain the reasons for

condonation of delay in filing the appeal before the NFAC. Therefore, we do not find any merits in the grounds of appeal filed by the assessee.

6. In the result, the appeal filed by the assessee stands dismissed.

Order pronounced on this 05<sup>th</sup> day of July, 2023.

Sd/-  
(PARTHA SARATHI CHAUDHURY)  
JUDICIAL MEMBER

Sd/-  
(INTURI RAMA RAO)  
ACCOUNTANT MEMBER

पुणे / Pune; दिनांक / Dated : 05<sup>th</sup> July, 2023.

*Sujeet*

**आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :**

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The Pr. CIT concerned.
4. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, "B" बेंच, पुणे / DR, ITAT, "B" Bench, Pune.
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

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