

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'E', NEW DELHI**

**Before Sh. Kul Bharat, Judicial Member
Dr. B. R. R. Kumar, Accountant Member**

**ITA No. 147/Del/2016 : Asstt. Year: 2006-07
ITA No. 148/Del/2016 : Asstt. Year: 2007-08
ITA No. 149/Del/2016 : Asstt. Year: 2008-09
ITA No. 150/Del/2016 : Asstt. Year: 2009-10
ITA No. 152/Del/2016 : Asstt. Year: 2011-12
ITA No. 153/Del/2016 : Asstt. Year: 2012-13**

Raman Singh Sidhu, C/o R.S. Ahuja & Co., CA, C-353, Defence Colony, New Delhi-110024	Vs	ACIT, Central Circle-31, New Delhi.
(APPELLANT)		(RESPONDENT)
PAN No. AAMPS1070J		

Assessee by : None

Revenue by : Sh. Subhra J. Chakraborty, CIT-DR

Date of Hearing: 18.09.2023

Date of Pronouncement: 21.09.2023

ORDER

Per Bench:

The present appeals have been filed by assessee against the orders of Id. CIT(A)-30, New Delhi, dated 27.10.2015.

2. Following grounds have been raised by the assessee:

ITA No.147/Del/2016 (AY 2006-07)

"(A) That on the Law, facts and circumstances of the case the learned ITO and the CIT(A) erred in :

1) Upholding the Assessment & addition of Rs. 11,74,879/- being profit on sale of stock options in spite of the fact that the assessment for the relevant

year had not abated in terms of section 153A & no incriminating material was found in the course of search & seizure operations.

2) Upholding the Assessment & addition of Rs. 1,08,72,043/-(equivalent of US \$ 241498) declared by the Assessee as additional income inspite of the fact that the Assessment for the year had not abated in terms of section 153A & no incriminating material was found in the course of search & seizure operations.

3) The ground in (2) above is a legal ground & was not raised before the A.O/ CIT (A) & the Assessee seeks to raise it before the Hon' ITAT for the first time. All details regarding this issue are available in the Assessment order.

4) Upholding the addition of Rs. 4,92,837/- being 50% of the expenses under Sales promotion & Rs. 1,50,000/- out of Car running expenses Drivers Salary."

ITA No.148/Del/2016 (AY 2007-08)

(A) That on the Law, facts and circumstances of the case the learned ITO and the CIT(A) erred in :

1) Upholding the Assessment & addition of Rs. 2,63,865/- being 50% of expenses of Sales Promotion Rs. 50,000/- plus Salary Rs. 2,67,532 plus Rent Rs. 90,000/- and car running expenses Rs. 1,20,198/- although these expenses were by account payee cheques & details were submitted.

2) Upholding the addition of Rs. 32,960/- from group 4S which is reimbursement of expenses given to the Director.

3) Upholding the addition in (1) & (2) above inspite of the fact that the-assessment for the relevant year had not abated in terms of section 153A & no incriminating material was found during the course of search & seizure operations."

ITA No.149/Del/2016 (AY 2008-09)

(A) *That on the Law, facts and circumstances of the case the learned ITO and the CIT(A) erred in :*

1) *Upholding the Assessment & addition of Rs.4,00,740/- as Interest purely on a notional basis without any evidence.*

2) *Upholding the addition of Rs. 29,069/- being reimbursement of expenses.*

3) *Upholding the addition in (1) & (2) above in spite of the fact that the assessment for the relevant year had not abated in terms of section 153A & no incriminating material has been found during the course of search & seizure operations.*

4) *Not giving relief to the Assessee of account of excess annuity charges of Rs. 43,961/- received by the Assessee."*

ITA No.150/Del/2016 (AY 2009-10)

(A) *That on the Law, facts and circumstances of the case the learned ITO and the CIT(A) erred in :*

1) *Upholding the Assessment & addition of Rs. 4,75,555/- as interest purely on a notional basis without any evidence.*

2) *Confirming the addition of Rs. 70,00,000/- on account of LTCG based on a dumb document found during the course of search & seizure. No addition has been in the hands of the purchaser of the property and therefore no addition can be made in the hands of the Assessee.*

3) *Without prejudice to what has been stated in (2) above not allowing benefit u/s 54 on the above amount as the same was consequently reinvested for purchase of house property.*

4) *Confirming the addition of Rs. 1,85,000/- u/s 69C based on unsigned document found during the course of search & seizure.*

5) *Confirming the addition of Rs.96,56,376/- being the amount received in Standard Chartered Bank Account during the year which is money brought back on the closure of HSBC Geneva account. This addition has been made in A.Y. 2006-07 & cannot be made again.*

6) *Not give relief to the Assessee of Rs.77,855/- on account of excess annuity received."*

ITA No.152/Del/2016 (AY 2011-12)

(A) That on the Law, facts and circumstances of the case the learned ITO and the CIT(A) erred in :

1) *Upholding the Assessment & addition of Rs.5,10,549/- as interest purely on a notional basis without any evidence.*

2) *Without prejudice to what has been said above it is stated that the said account has been closed in A.Y 2009-10 & money has been remitted to India.*

3) *Confirming the addition of Rs. 8,27,731/- which was found credited in the Bank Account of his son in Australia. His son was a major at that point of time, & is a non- resident & therefore the addition is unsustainable."*

ITA No.153/Del/2016 (AY 2012-13)

(A) That on the Law, facts and circumstances of the case the learned ITO and the CIT(A) erred in :

1) *Upholding the Assessment & addition of Rs.5,58,302/- as interest purely on a notional basis without any evidence.*

2) *Without prejudice to what has been said above it is stated that the said account has been closed in A.Y 2009-10 & money has been remitted to India."*

3. Since, the issues involved in all these appeal are similar, they were heard together and being adjudicated by a common order.

4. The assessee vide letter dated 15.09.2023 requested permission to withdraw the six appeals. It was submitted that the assessee do not wish to pursue the appeals.

5. We find that the issues involved in the appeals before us have been adjudicated in ITA No.151/Del/2016 for the assessment year 2010-11 by the Co-ordinate Bench of Tribunal in assessee's own case, wherein the grounds of appeal have been adjudicated against the assessee and the appeal has been dismissed.

6. Keeping in view, the letter of the assessee as well as the order by the Tribunal in assessee's own case, the appeals of the assessee are hereby dismissed.

7. In the result, the appeals of the assessee are dismissed.
Order Pronounced in the Open Court on 21/09/2023.

Sd/-

(Kul Bharat)
Judicial Member

Sd/-

(Dr. B. R. R. Kumar)
Accountant Member

Dated: 21/09/2023

Subodh Kumar, Sr. PS/dk

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR