

IN THE INCOME TAX APPELLATE TRIBUNAL
PANAJI BENCH, PANAJI – VIRTUAL COURT

BEFORE SHRI INTURI RAMA RAO, ACCOUNTANT MEMBER
AND
SHRI S. S. VISWANETHRA RAVI, JUDICIAL MEMBER

आयकर अपील सं. / ITA No.49/PAN/2023
निर्धारण वर्ष / Assessment Year : 2014-15

Reynold Events & Promotions, H.No.9, Kirbhat, Baida Kirbhat, Nuvem, Salcete- 403604. PAN : AAHFR6235P	Vs.	ACIT, Circle-1, Margao.
Appellant		Respondent

Assessee by : Shri D. E. Robinson
Revenue by : Shri Sridhar Dora

Date of hearing : 15.12.2023
Date of pronouncement : 19.12.2023

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, Delhi [‘NFAC’] dated 31.01.2023 for the assessment year 2014-15.

2. Briefly, the facts of the case are that the appellant is an individual engaged in the business of hiring of sound and light equipments, providing staging and backdrops etc. The Return of Income for the assessment year 2014-15 was filed on 28.11.2014 disclosing total income of Rs.27,08,476/-. Against the said return of

income, the assessment was completed by the Assistant Commissioner of Income Tax, Circle-1, Margao-Goa ('the Assessing Officer') vide order dated 06.12.2016 passed u/s 143(3) of the Income Tax Act, 1961 ('the Act') at a total income of Rs.36,70,170/- by making addition of Rs.9,61,693/- being the amount of difference between the amount shown in the Form 26AS and the amount shown in the books of account on the failure of the assessee to reconcile the difference.

3. Being aggrieved, an appeal was filed before the NFAC. During the course of proceedings before the NFAC, it is contended that the Assessing Officer made addition on account of alleged difference between the amount shown in the Form 26AS and the amount shown in the books of account without giving proper opportunity of explaining the discrepancies. The appellant also filed the statement reconciling the discrepancies between the amount shown in Form 26AS and the amount shown in the books of account. However, the NFAC had passed a very cryptic order without considering the submissions made by the appellant. In the circumstances, we are of the considered opinion that the matter requires the remission to the file of the NFAC for *de novo*

consideration in accordance with law after affording reasonable opportunity of being heard to the appellant. We order accordingly.

4. In the result, the appeal filed by the assessee stands partly allowed for statistical purposes.

Order pronounced on this 19th day of December, 2023.

Sd/-
(S. S. VISWANETHRA RAVI)
JUDICIAL MEMBER

Sd/-
(INTURI RAMA RAO)
ACCOUNTANT MEMBER

पुणे / Pune; दिनांक / Dated : 19th December, 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. DR, ITAT, Panaji.
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

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