

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE "SMC" BENCH : PUNE [VIRTUAL HEARING]
BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER

आयकर अपील सं. /ITA No.106/PUN/2024

निर्धारण वर्ष / Assessment Year : 2017-18

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| Nazima Sadique Rakhange, Kalkai Kond, Dapoli, Ratnagiri – 415 712 Maharashtra PAN : BDUPR4248D (Appellant) | vs. | Income Tax Officer, Ward-1, Ratnagiri (Respondent) |
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| For Assessee : | None |
| For Revenue : | Shri Sourabh Nayak |

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| Date of Hearing : | 14.03.2024 |
| Date of Pronouncement : | 27.03.2024 |

ORDER

PER SATBEER SINGH GODARA, J.M. :

This assessee's appeal for assessment year 2017-18, arises against the National Faceless Appeal Centre [in short the "NFAC"] Delhi's Din and Order No.ITBA/APL/S/250/2023-24/1058218423(1), dated 24.11.2023, involving proceedings u/s.144 of the Income Tax Act, 1961 (in short "the Act").

Case called twice. None appears at assessee's behest. She is accordingly proceeded ex-parte.

2. It is noticed with the able assistance coming from the Revenue side that both the learned lower authorities have assessed Gross Profit @15% on estimation basis qua assessee's cash deposits of Rs.25,72,263/-made in the relevant previous year. The impugned addition comes to Rs.3,85,839/-

therefore. Learned NFAC has affirmed the same in the lower appellate proceedings.

3. Mr. Nayak vehemently argued that both the learned lower authorities have rightly estimated the assessee's cash deposits representing the sale proceeds in the regular course of her business. He could hardly dispute that, there is no clarity as to on what basis, they have estimated the addition @15% as neither there is any reference to assessee's line of business nor any comparables quoted. Faced with this situation, it is deemed appropriate in larger interest of justice that a lumpsum Gross Profit estimation of 11% only would be just and proper since the assessee has also not able to rebut the same by way of filing relevant evidence. Necessary computation in light of 11% Gross Profit estimation shall follow as per law.

4. In the result, this assessee's appeal is partly allowed in very terms.

Order pronounced in the open Court on 27th March, 2024.

Sd/-
[SATBEER SINGH GODARA]
JUDICIAL MEMBER

Pune, Dated : 27th March, 2024
Satish

Copy to :

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| 1. | The appellant |
| 2. | The respondent |
| 3. | The Pr. CIT, Pune concerned |
| 4. | D.R. ITAT, "SMC" Bench, Pune. |
| 5. | Guard File. |

//True Copy //

//By Order //

Sr. Private Secretary, ITAT,
Pune Benches, Pune.