

आयकर अपीलीय अधिकरण 'सी' न्यायपीठ चेन्नई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
'C' BENCH, CHENNAI

मजनीय श्री मनोज कुमार अग्रवाल, लेखक सदस्य एवं
मजनीय श्री मनु कुमार गिरि, न्यायिक सदस्य के समक्ष।
BEFORE HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM
AND HON'BLE SHRI MANU KUMAR GIRI, JM

आयकर अपील सं ITA No.35/Chny/2024
(निर्धारणवर्ष / Assessment Year: 2017-18)

Shri Sathyamoorthy Ganesh Old No.70 New No.15, Kumaran Colony, First Street, Vadapalani, Chennai-600 026.	बनाम/ Vs.	ITO Non-Corporate Ward-19(6), Chennai.
स्थायी लेखासं./जीआइआरसं./PAN/GIR No. BOUPG-1761-F		
(अपीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थी की ओरसे/ Appellant by	:	Shri H. Yeshwanth Kumar (CA)-Ld. AR
प्रत्यर्थी की ओरसे/ Respondent by	:	Shri P. Sajit Kumar (JCIT)-Ld. Sr. DR

सुनवाई की तारीख/ Date of Hearing	:	16-04-2024
घोषणा की तारीख / Date of Pronouncement	:	16-04-2024

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. The grievance of the assessee in captioned appeal is confirmation of certain addition of unexplained investment for Rs.29.57 Lacs as made by Ld. Assessing Officer while framing an assessment u/s 144 on 20.09.2019. The addition represents credits in the bank accounts. Though the assessee preferred further appeal, it failed to file any supporting documents and accordingly, the addition was confirmed. Aggrieved, the assessee is in further appeal before us. The Ld. AR

submitted that the assessee is in a position to substantiate its case. The Ld. Sr. DR pleaded for dismissal of the appeal.

2. Accepting the plea of Ld. AR and keeping in mind the principle of natural justice, we deem it fit to grant another opportunity of hearing to the assessee to substantiate its case. Accordingly, the impugned order is set aside and the appeal is restored back to the file of Ld. CIT(A) for de novo adjudication after affording opportunity of hearing to the assessee. The assessee is directed to substantiate its case forthwith failing which Ld. CIT(A) shall be at liberty to dispose-off the appeal on merits.

3. The appeal stand allowed for statistical purposes.

Order pronounced on 16th April, 2024.

Sd/-
(MANU KUMAR GIRI)
न्यायिक सदस्य / JUDICIAL MEMBER

Sd/-
(MANOJ KUMAR AGGARWAL)
लेखक सदस्य / ACCOUNTANT MEMBER

चेन्नई Chennai; दिनांक Dated : 16-04-2024
DS

आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकरआयुक्त/CIT
4. विभागीयप्रतिनिधि/DR
5. गार्डफाईल/GF