

**आयकर अपीलीय अधिकरण “ए” न्यायपीठ चेन्नई में।**  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**“A” 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.475/Chny/2024**  
**(निर्धारण वर्ष / Assessment Year: 2017-18)**

<b>Hi Tech Housing Projects P. Limited</b> Old No.19, New No. 32, Cathedral Garden Road, Nungambakkam Chennai-600 034.	<b>बनम</b> / Vs.	<b>DCIT</b> <b>Corporate Circle-2(2)</b> Chennai.
स्थायी लेखासं./जीआइआरसं./PAN/GIR No. <b>AAACH-2527-C</b>		
(पीलार्थी/ <b>Appellant</b> )	:	(प्रत्यर्थी/ <b>Respondent</b> )

अपीलार्थीकीओरसे/ <b>Appellant by</b>	:	None
प्रत्यर्थीकीओरसे/ <b>Respondent by</b>	:	Shri AR V Sreenivasan (Addl.CIT) - Ld. Sr. DR

सुनवाईकीतारीख/ <b>Date of Hearing</b>	:	30-04-2024
घोषणाकीतारीख / <b>Date of Pronouncement</b>	:	06-05-2024

**आदेश / O R D E R**

**Manoj Kumar Aggarwal (Accountant Member)**

1. Aforesaid appeal by assessee for Assessment Year (AY) 2017-18 arises out of the order of learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 12-01-2024 in the matter of an assessment framed by Ld. Assessing Officer [AO] u/s. 143(3) of the Act on 29-12-2019. The Ld.AO made addition of Rs.665.64 Lacs under the head Capital Gains. The Ld. CIT(A) confirmed the same since the assessee failed to make any representation therein despite 9 hearing notices as tabulated in para-4 of

the impugned order. Aggrieved, the assessee is in further appeal before us wherein none has appeared for assessee. The Ld. Sr. DR has pleaded for dismissal of the appeal.

3. Though the assessee has remained negligent, however, keeping in mind the principle of natural justice, we deem it fit to grant another opportunity to the assessee to substantiate its case. The same would come at a cost of Rs.5,000/- which shall be deposited by the assessee within 30 days from the date of receipt of this order to 'Tamil Nadu State Legal Services Authority' at Hon'ble High Court of Madras. The proof of the same shall be furnished by the assessee to Ld. CIT(A) who shall proceed for de novo adjudication after affording reasonable 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 proceed with disposal of appeal on merits on the basis of material on record.

4. The appeal stand allowed for statistical purposes.

*Order pronounced on 6<sup>th</sup> May, 2024*

<b>Sd/-</b> <b>(MANU KUMAR GIRI)</b> न्यायिक सदस्य / JUDICIAL MEMBER	<b>Sd/-</b> <b>(MANOJ KUMAR AGGARWAL)</b> लेखक सदस्य / ACCOUNTANT MEMBER
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चेन्नई Chennai; दिनांक Dated : 06-05-2024

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आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :

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