

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

**BEFORE SH. G.S. PANNU, VICE PRESIDENT
AND
SH. ANUBHAV SHARMA, JUDICIAL MEMBER**

ITA No.4130/Del/2018
Assessment Year: 2014-15

Ram Awadh Sharma D-153, Pinnacle DLR, Phase- 5, Gurgaon PAN No.BKBPS6630N (APPELLANT)	Vs.	Pr. CIT Central-2 New Delhi (RESPONDENT)
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Appellant by	None.
Respondent by	Sh. P.N. Baranwal, CIT DR

Date of hearing:	19/03/2024
Date of Pronouncement:	05/06/2024

ORDER

PER ANUBHAV SHARMA, JM:

Heard and perused the record. At the time of hearing none appeared for the appellant. The records shows notices have been issued repeatedly ever since institution of the appeal and same are received back un-served with the report that assessee has left the address. The case pertains to the year 2018 and further efforts of service are not justified. Accordingly arguments of Ld. DR were heard on the merits of the grounds raised.

2. After considering the material before us. It comes up that the assessee has challenged the order passed under Section 263 of the Income Tax Act, 1961 (herein after referred as 'the Act') by the Commissioner of Income Tax, Central-II, New Delhi (here inafter also referred as 'revisional authority') by which the assessment order under Section 143 (3) of the Act dated 31.03.2016 for A.Y. 2014-15 was examined along with the assessment record and the revisional authority concluded that the AO has not examined the issue of bad debts of Rs. 1 crore claimed without fulfilling conditions of Section 36(1)(vii) read with section 36 (2) of the Act. It was concluded that assessee was not doing any business activity during the year under consideration.

3. As we appreciate the assessment order dated 31.03.2016 it appears that as assessment was completed in response to search and seizure and survey operations conducted on Mohan India Group and additions were made in the hands of assessee on the protective basis alone. The AO seems to have not examined any other aspect at all while completing assessment u/s 143(3) of the Act. Thus, we do not find any error in the impugned order under Section 263 of the Act whereby the AO was directed to frame afresh assessment after affording assessee an opportunity of being heard.

4. The grounds raised have no substance. The appeal of the assessee is dismissed.

Order pronounced in the open court on 05.06.2024.

Sd/-
(G.S. PANNU)
VICE PRESIDENT

Sd/-
(ANUBHAV SHARMA)
JUDICIAL MEMBER

NEHA

Date:- 05.06.2024