

प्रायकर अपीलिय अधिकरण 'ए' न्यायपीठ चेन्नई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
'A' BENCH, CHENNAI

माननीय श्री मनोज कुमार अग्रवाल, लेखक सदस्य एवं
माननीय 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.335/Chny/2024
(निर्धारणवर्ष / Assessment Year: 2018-19)

Smt. Aradhana Jain 19, Karuppannan Street, Chennai-600 001.	बनम/ Vs.	ITO Non-Corporate Ward-11(1) Chennai.
स्थायी लेखासं./जीआइआरसं./PAN/GIR No. AKFPJ-9495-D		
(पीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थी की ओरसे/ Appellant by	:	Shri S. Sridhar (Advocate) -Ld.AR
प्रत्यर्थी की ओरसे/ Respondent by	:	Shri R. Mukundan (JCIT)-Ld. Sr. DR

सुनवाई की तारीख/ Date of Hearing	:	13-06-2024
घोषणा की तारीख / Date of Pronouncement	:	18-06-2024

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year (AY) 2018-19 arises out of the order of learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 24-01-2024 in the matter of an assessment framed by Ld. Assessing Officer [AO] u/s. 143(3) r.w.s 143(3A) & 143(3B) of the Act on 06-04-2021. In the assessment order, Ld. AO invoked provisions of Sec.41(1) and made addition of Rs.97.77 Lacs alleging remission / cessation of trading liability. The Ld. CIT(A) confirmed the same on the

ground that the assessee did not file any documentary evidences to support existence of liabilities. Aggrieved, the assessee is in further appeal before us.

2. The Id. AR has submitted that the assessee is in a position to substantiate its case and therefore, the matter may be remitted back to lower authorities. The Ld. Sr. DR opposed the same. Accepting the prayer of Ld. AR, we set aside the impugned order and restore the matter back to the file of Ld. AO for de novo assessment with a direction to the assessee to substantiate its case.

3. The appeal stands allowed for statistical purposes.

Order pronounced on 18th June, 2024

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

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

चेन्नई Chennai; दिनांक Dated :18-06-2024
DS

आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :

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