

IN THE INCOME TAX APPELLATE TRIBUNAL
MUMBAI BENCH "C", MUMBAI

**BEFORE SHRI ANIKESH BANERJEE, JUDICIAL MEMBER AND
SHRI GAGAN GOYAL, ACCOUNTANT MEMBER**

ITA No. 953/Mum/2024 (A.Y. 2008-09)

Prarambh Multitrade Pvt. Ltd.,

Room No. 401A, 4th floor,

154, Lenin Sarani,

Kolkata, West Bengal 700 013

PAN: AACCP8985C

..... Appellant

Vs.

ITO Ward – 2(1)

P-7, Chowringhee Square,

Kolkata – 700 069

..... Respondent

Appellant by	:	None
Respondent by	:	Ms. Madhu Malti Ghosh, Ld. DR
Date of hearing	:	10/06/2024
Date of pronouncement	:	20/06/2024

ORDER

PER GAGAN GOYAL, A.M:

This appeal by assessee is directed against the order of National Faceless Appeal Centre (for short "NFAC") dated 26.10.2023 u/s. 250 of the Income Tax

Act, 1961 (in short 'the Act') for A.Y. 2008-09. The assessee has raised the following grounds of appeal:-

- 1. That the Order passed u/s. 250 is bad in law as well as on facts of the case.*
- 2. That the Hon'ble CIT (A), NFAC erred in law as well as on facts of the case in not providing reasonable opportunity of hearing to the appellant.*
- 3. That the Hon'ble CIT (A), NFAC erred in law as well as on facts of the case by confirming the addition made by Ld. Assessing Officer of Rs. 10, 00,000/- being share purchase transaction made with M/s. Paritosh Trading Pvt. Ltd.*
- 4. That the Hon'ble CIT(A), NFAC erred in law as well as on facts of the case by confirming the addition made by Ld. Assessing Officer amounting to Rs. 15,14,36,339/- being total credits as per bank books as unexplained credit u/s. 68 of Income Tax Act, 1961.*
- 5. That the Hon'ble CIT(A), NFAC erred in law as well as on facts of the case by confirming the addition made by Ld. Assessing Officer amounting to Rs. 6,20,37,661/- being difference of total credits as per bank book and bank statement of Kotak Mahindra Bank as unaccounted transaction u/s. 69A of Income Tax Act, 1961.*
- 6. That the appellant craves to leave, add, amends or adduces any of the grounds of appeal during the course of appellate proceedings.*

2. The brief facts of the case are that the assessee has filed its return of income on 18.10.2008 declaring total income at Rs. 8,980/-. A search and seizure action u/s. 131/133A and 132 of the Act were conducted at the office premises of Shri Jagdish Prasad Purohit, wherein he admitted that he was in the business of providing accommodation entries to the one of beneficiaries i.e. the assessee company. Thereafter, AO made addition of Rs. 21, 44, 74,000/- to the total income of the assessee. The assessee being aggrieved with this order of AO preferred an appeal before the Ld. CIT (A) who in turn dismissed the appeal of the assessee on the ground of non-appearance.

3. We have gone through the order of AO, order of the Ld. CIT (A) and submissions of the assessee alongwith grounds raised before us. It is observed vide para 4 of the Ld. CIT (A)'s order that following notices were issued to the assessee, but there was no compliance by the assessee as under:-

Sr. No.	Date of notice	Compliance due date	Remarks
1	15.01.2021	01.02.2021	Non Compliance
2	11.07.2023	18.07.2023	Non Compliance
3	16.08.2023	23.08.2023	Non Compliance
4	25.09.2023	02.10.2023	Non Compliance
	18.10.2023	20.10.2023	Non Compliance

4. It is further observed that notices were sent on an e-mail id and the correctness of the same has not been challenged by the assessee. It is observed that in Form No. 35, assessee submitted email ID **returnfilingincometax07@gmail.com** whereas in Form No. 36 before us, the email ID given was **paraskochar@hotmail.com**. In view of the fact that appeal order was passed ex-parte, **although on merits relying on the records and documents available with him, but as there was no participation at the end of the assessee.** In addition to the facts mentioned (supra), it is observed that appeal before us was filed on 01.03.2024 and the same is time barred by 67 days, but there was no application for condonation of delay alongwith affidavit was filed by the assessee within 10 days from the date of receiving communication from the Registry and thereafter on the date of hearings, none appeared which

confirms that assessee is no more interested in pursuing this appeal before us, in these circumstances, we deem it fit to dismiss the appeal filed by the assessee.

5. In the result, appeal of the assessee is dismissed.

Order pronounced in the open court on 20th day of June, 2024.

Sd/-

(ANIKESH BANERJEE)

JUDICIAL MEMBER

Mumbai, दिनांक/Dated: 20/06/2024

Dhananjay, Sr. PS

Sd/-

(GAGAN GOYAL)

ACCOUNTANT MEMBER

Copy of the Order forwarded to:

1. अपीलार्थी/The Appellant ,
2. प्रतिवादी/ The Respondent.
3. आयकर आयुक्त CIT
4. विभागीय प्रतिनिधि, आय.अपी.अधि., मुंबई/DR, ITAT, Mumbai
5. गार्ड फाइल/Guard file.

//True Copy//

BY ORDER,

(Asstt. Registrar)
ITAT, Mumbai