

**IN THE INCOME TAX APPELLATE TRIBUNAL
COCHIN BENCH, COCHIN**

Before Shri Satbeer Singh Godara, Judicial Member and
Shri Amarjit Singh, Judicial Member

ITA No. 850/Coch/2023
(Assessment Year: 2018-19)

Hosdurg Service Co-op. Bank Ltd. Hosdurg, Kasaragod 671315 [PAN: AAAAH0337C]	vs.	The Income Tax Officer - TPS Aayakar Bhavan, Vidyanagar Kasaragod 671123
(Appellant)		(Respondent)

Appellant by:	Shri Suresh Kumar Varma, CA
Respondent by:	Smt. V. Swarnalatha, Sr. D.R.

Date of Hearing:	13.08.2024
Date of Pronouncement:	25.09.2024

ORDER

Per Bench

This assessee's appeal for A.Y. 2018-19 arises against the National Faceless Appeal Centre, Delhi [CIT(A)]'s DIN & Order No. ITBA/ NFAC/S/250/2023-24/1057077496(1) dated 16.10.2023 in proceedings u/s. 250 of the Income Tax Act, 1961 (the Act).

Heard both parties. Case file perused.

2. It emerges at the outset with the able assistance coming from both the parties that the CIT(A)/NFAC has passed exparte order confirming the Assessing Officer's action making section 80P deduction disallowance without dealing with the relevant factual matrix as contemplated u/s. 250(6) of the Act requiring him to frame points of determination followed by a detailed discussion thereon. Faced with this situation,

we deem it fit appropriate to restore the issue back to the Assessing Officer for his afresh verification and adjudication with the rider that it shall be the assessee's risk and responsibility only to plead and prove all the related facts within three effective opportunities of hearing. Ordered accordingly.

3. This assessee's appeal is allowed for statistical purposes.

Order pronounced on 25th September, 2024 under Rule 34 of The Income Tax (Appellate Tribunal) Rules, 1963.

Sd/-
(Amarjit Singh)
Accountant Member

Sd/-
(Satbeer Singh Godara)
Judicial Member

Cochin, Dated: 25th September, 2024

n.p.

Copy to:

1. The Appellant
2. The Respondent
3. The Pr. CIT concerned
4. The Sr. DR, ITAT, Cochin
5. Guard File

By Order

Assistant Registrar
ITAT, Cochin