

आयकर अपीलीय अधिकरण “ए” न्यायपीठ चेन्नई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
“A” BENCH, CHENNAI

माजनीय श्री महावीर सिंह, उपध्यक्ष एवं
माजनीय श्री मनोज कुमार अग्रवाल, लेखक सदस्य के समक्ष।
BEFORE HON’BLE SHRI MAHAVIR SINGH, VP AND
HON’BLE SHRI MANOJ KUMAR AGGARWAL, AM

आयकर अपील सं. ITA No.1658/Chny/2024
(निर्धारण वर्ष / Assessment Year: 2018-19)

Shri Ramuservai Ganesan #42, Florentina Apartments, Gandhi Nagar, 3 rd Main Road, Adyar, Chennai-600 020.	बनाम/ Vs.	ITO Non-Corporate Ward-15(1) Chennai.
स्थायी लेखासं./जीआइआरसं./PAN/GIR No. AADPG-9534-E		
(अपीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थीकी ओरसे/ Appellant by	:	Shri N. Arjun Raj (Advocate) - Ld. AR
प्रत्यर्थीकी ओरसे/ Respondent by	:	Ms. Deeptha (JCIT) – Ld. Sr. DR

सुनवाईकी तारीख/ Date of Hearing	:	01-10-2024
घोषणाकी तारीख / Date of Pronouncement	:	09-10-2024

आदेश / O R D E R

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 09-05-2024 in the matter of an assessment framed by the Ld. AO u/s 147 r.w.s 144 of the Act on 29-03-2022. In the assessment order, Ld. AO made addition of Rs.53.87 Lacs on estimate basis which was computed as 12% of receipts / deposits in the bank accounts. The Ld. CIT(A) granted partial relief to the assessee and directed Ld. AO to

reduce the estimation to 8%. Still aggrieved, the assessee is in further appeal before us.

2. The Ld. AR made limited arguments and stated that the assessee is a vegetable trader and work on thin margins of 1% to 2% and therefore, the estimation is on a very higher side. The Ld. Sr. DR opposed the same on the ground that adequate relief has already been granted in the first appeal.

3. From the facts, it emerges that the assessee is running a vegetable shop in the name and style of M/s. Sri Ganesh Vegetable shop at Chennai. This is perishable commodity and prone to higher wastages etc. In this line of business, the margins would be low. The books of accounts are subjected to tax audit. The assessee has reflected turnover of Rs.437.40 Lacs. The Ld. AO has made profit estimation of 12% which has been reduced to 8% in first appeal. Considering the business background of the assessee, we reduce the estimation to 4% of turnover. The Ld. AO is directed to recompute the income of the assessee. No other ground has been urged in the appeal.

4. The appeal stands partly allowed for statistical purposes.

Order pronounced on 9th October, 2024

Sd/-

(MAHAVIR SINGH)

उपाध्यक्ष / **VICE PRESIDENT**

Sd/-

(MANOJ KUMAR AGGARWAL)

लेखा सदस्य / **ACCOUNTANT MEMBER**

चेन्नई Chennai; दिनांक Dated : 09-10-2024
DS

आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :

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