

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

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

ITA No. 144/Coch/2024
(Assessment Year: 2015-16)

Johnson Neduvelil John Q3, Soundarya Apartments Nandavanan, Vikas Bhavan P.O. Trivandrum 695033 [PAN: ACFPJ0197C]	vs.	The Income Tax Officer - 2(1) Aayakar Bhavan, Kowdir Trivandrum 695003
(Appellant)		(Respondent)

Appellant by:	----- None -----
Respondent by:	Smt. V. Swarnalatha, Sr. D.R.

Date of Hearing:	14.08.2024
Date of Pronouncement:	25.09.2024

ORDER

Per Bench

This assessee's appeal for A.Y. 2015-16 arises against the National Faceless Appeal Centre, Delhi [CIT(A)]'s DIN & Order No. ITBA/ NFAC/S/250/2023-24/1059300200(1) dated 02.01.2024 in proceedings u/s. 250 of the Income Tax Act, 1961 (the Act).

Case called twice. None appears at assessee's behest. We accordingly proceed exparte.

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 69 addition in question on account of unexplained investment

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 thereupon. Faced with this situation, we deem it fit appropriate to restore this assessee's appeal back to the CIT(A) for his afresh verification and adjudication with a rider that it shall be the assessee's risk and responsibility only to plead and prove all the relevant facts within three effective opportunities of hearing, in consequential proceedings. Ordered accordingly.

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

Order pronounced in the open court on 25th September, 2024.

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