

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

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

ITA No. 571/Coch/2023
(Assessment Year: 2017-18)

Manamboor Service Co-op. Bank Ltd. Manamboor P.O. Thiruvananthapuram 695611 [PAN: AAAAM5969P]	vs.	The Income Tax Officer - 2(1) Aayakar Bhawan Kawdiar P.O. Thiruvananthapuram 695003
(Appellant)		(Respondent)

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

Date of Hearing:	22.08.2024
Date of Pronouncement:	23.10.2024

ORDER

Per Bench

This assessee's appeal for A.Y. 2017-18 arises against the National Faceless Appeal Centre, Delhi [CIT(A)]'s DIN & Order No. ITBA/NFAC/S/250/2023-24/1053834480(1) dated 21.06.2023 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 against the assessee.

2. We notice at the outset that both the learned lower authorities have levied sec.271B penalty in assessee's hands on account of it's default in filing tax audit report within the "due" date of filing u/sec.139(1) of the Act. Learned DR could

hardly dispute that the assessee had duly filed the said tax audit report well before the sec.143(3) regular assessment framed on 20.12.2019. The only inference which arises in this factual backdrop is that possibility of some delay in such a case requiring the state government authorities approval, could not be altogether ruled out. We conclude in these facts that all this delay forms a “reasonable” cause in assessee’s instant case u/sec.273B of the Act. The impugned penalty is deleted therefore. Ordered accordingly.

3. This assessee’s appeal is allowed in above terms.

Order pronounced in the open court on 23rd October, 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: 23rd October, 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