

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

Before Shri Inturi Rama Rao, Accountant Member

ITA No. 712/Coch/2024
(Assessment Year: 2013-14)

Zahi Tyres (India) Pvt. Ltd. 403, Pioneer Towers Marie Drive Cochin 682031 [PAN: AAACZ1096J]	vs.	ACIT, Corporate Circle - 2(1) Kochi
(Appellant)		(Respondent)

Appellant by:	Ms. Parvathy Ammal, CA
Respondent by:	Smt. Leena Lal, Sr. D.R.

Date of Hearing:	29.10.2024
Date of Pronouncement:	18.11.2024

ORDER

This appeal filed by the assessee is directed against the order of the Commissioner of Income Tax (Appeals)-7, Delhi [CIT(A)] dated 17.06.2024 for Assessment Year (AY) 2013-14.

2. Brief facts of the case are that the assessee is a company incorporated under the provisions of the Companies Act and is engaged in the business of manufacturing of tyres on contract basis. Assessee filed return of income for AY 2013-14 on 07.03.2014 declaring a loss of Rs. 62,59,909/- . Against the said return of income assessment was completed by the Assessing Officer (AO) vide order dated 30.03.2016 passed u/s. 143(3) of the Act at a total income of Rs.29,69,327/-. While doing so the AO made addition of Rs.3,30,181/- invoking the provisions of section 14A of the Act. The AO also made addition of Rs. 48,21,000/- u/s. 40A(3) of the Act.

3. Being aggrieved, an appeal was filed before the CIT(A) raising several grounds. The CIT(A) vide the impugned order confirmed the action of the AO.

4. Being aggrieved, assessee is in appeal before the Tribunal. I have heard the rival contentions of both the parties and perused the material available on record. On perusal of the order of the CIT(A), it would be clear that the CIT(A) without advertent to the facts of the case and the judicial precedents relied upon by the assessee, had merely dismissed the appeal without giving any cogent reasoning. Thus the order passed by the CIT(A) is not a reasoned order. Therefore, I am of the considered opinion that the ends of justice, would be met if the matter is restored back to the file of the CIT(A) with a direction to dispose of the appeal on merits after affording reasonable opportunity of being heard to the assessee.

5. In the result, the appeal filed by the assessee is allowed for statistical purposes.

Order pronounced in the open court on 18th November, 2024

Sd/-
(Inturi Rama Rao)
Accountant Member

Cochin, Dated: 18th November, 2024

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Copy to:

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

Assistant Registrar
ITAT, Cochin