

IN THE INCOME TAX APPELLATE TRIBUNAL  
COCHIN BENCH : COCHIN

BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER  
AND  
SHRI AMARJIT SINGH, ACCOUNTANT MEMBER

I.T.A.No.20/COCH./2024  
Assessment Year 2018-2019

|  |     |   |
|--|-----|---|
| Kakkur Service Co-operative Bank Ltd.,<br>Kakkur, KOZHIKODE.<br>PIN – 673 613. KERALA.<br>PAN AACAK1839L | vs. | The Income Tax Officer,<br>Ward-2 (3), Aayakar<br>Bhavan, Mananchira,<br>KOZHIKODE. KERALA. |
| (Appellant)  |     | (Respondent)  |

|                |                             |
|----------------|-----------------------------|
| For Assessee : | -None-                      |
| For Revenue :  | Smt. V. Swarnalatha, Sr. DR |

|                         |            |
|-------------------------|------------|
| Date of Hearing :       | 23.08.2024 |
| Date of Pronouncement : | 07.11.2024 |

**ORDER**

**PER SATBEER SINGH GODARA, J.M. :**

This assessee's appeal, for assessment year 2018-2019, arise against the Addl/JCIT(A), Bhubaneswar, Bhubaneswar's Din and Order No.ITBA/APL/S/250/2023-24 /1058312243(1), dated 29.11.2023, in proceedings u/s.143(1) of the Income Tax Act, 1961 (in short "the Act").

Case called twice. None appears at assessee's behest. It is accordingly proceeded ex-parte.

2. It appears at the outset that there is hardly had any need for us to give detailed consideration to the assessee's sole substantive grievance seeking to reverse both the learned lower authorities action disallowing its section 80P deduction claimed by way of section 143(1)(a)(v) "processing" dated 29.06.2019 as upheld in the lower appellate ex-parte discussion. This is for the precise reason that the legislature has amended section 143(1)(a)(v) enabling provision to this effect by way of amendment in the Finance Act, 2021 w.e.f. 01.04.2021 whereas the impugned assessment order is AY 2018-19. Meaning thereby that both the learned lower authorities could not have invoked s.143(1)(a)(v) "processing" retrospectively for disallowing assessee's impugned section 80P deduction. We accept the assessee's instant sole substantive ground in very terms. Ordered accordingly.

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

Order pronounced in the open Court on 07.11. 2024.

Sd/  
[AMARJIT SINGH]  
ACCOUNTANT MEMBER

Sd/-  
[SATBEER SINGH GODARA]  
JUDICIAL MEMBER

Cochin, Dated 07<sup>th</sup> November, 2024  
VBP/-

Copy to

|    |                                      |
|----|--------------------------------------|
| 1. | The appellant                        |
| 2. | The respondent                       |
| 3. | The CIT(A) concerned.                |
| 4. | The CIT concerned                    |
| 5. | The D.R. ITAT, Cochin Bench, Cochin. |
| 6. | Guard File.                          |

//By Order//

//True copy//

Sr. Private Secretary, ITAT, Cochin Bench,  
Cochin