

IN THE INCOME TAX APPELLATE TRIBUNAL
“B” BENCH, MUMBAI
BEFORE SMT BEENA PILLAI, JUDICIAL MEMBER
AND
SMT RENU JAUHRI, ACCOUNTANT MEMBER

ITA No.5236/M/2024
Assessment Year: 2014-15

ITA No.5237/M/2024
Assessment Year: 2013-14

Shree Bombay Visa Nagar Vanik Cast Fund 401, Maker Bhavan 3, 21 New Marine Lines, Mumbai- 400020. PAN: AAATB5212F	Vs.	Income Tax Office (Exemption) Ward 2(3), MTNL Building, Cuballa Hill Grant Road, Mumbai- 400026.
Appellant	:	Respondent

Present for:

Assessee by

: Shri H. N. Motiwala

Revenue by

: Ms. Sujata P. Iyengar, Sr. A.R.

Date of Hearing

: 19.11.2024

Date of Pronouncement

: 29.11.2024

ORDER

Per Beena Pillai, JM:

Present penalty appeals are filed by the assessee against separate orders dated 22/08/2024 passed by NFAC Delhi/Ld.CIT(A) for assessment years 2013-14 & 2014-15.



2. At the outset, the Ld.AR submitted that the quantum appeal for A.Y. 2013-14 is pending for disposal before the first appellate authority. He submitted that under such circumstances the application was made by the assessee before the both authorities to appeal to keep the penalty proceedings for the year under consideration in abeyance. It is submitted that, the request of the assessee was considered and the first appellant authority upheld the levy of penalty for the year under consideration.

In the interest of justice we are of the opinion that the penalty appeal is to be remanded to the Ld.CIT(A) with a direction to consider the same alongwith the quantum appeal. Needless to say that proper opportunity may be granted to the assessee of being heard.

Accordingly the grounds raised by the assessee stands partly allowed for statistical purpose for A.Y.2013-14 & 2014-15.

In the result the appeal filed by the assessee stands partly allowed for statistical purpose A.Y.2013-14 & 2014-15.

Order pronounced in the open court on 29.11.2024.

**Sd/-
RENU JAUHRI
ACCOUNTANT MEMBER**

**Sd/-
BEENA PILLAI
JUDICIAL MEMBER**

Place: Mumbai,

Dated: 29.11.2024

Snehal C. Ayare, Stenographer/Dragon



Copy of the order forwarded to :

1. The Appellant
2. The Respondent
3. Ld.DR, ITAT, Mumbai
4. Guard File
5. CIT

//True Copy//

BY ORDER,

(Dy./Asstt. Registrar)
ITAT, Mumbai