

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

**Before Shri Inturi Rama Rao, Accountant Member  
&  
Shri Prakash Chand Yadav, Judicial Member**

ITA No.250/Coch/2024 : Asst.Year 2017-2018

M/s.National Radio Electronics National Highway Taliparamba Kannur – 670 141. <b>PAN : AAHFN0467H.</b>	v.	The Income Tax Officer Circle – 1 Kannur.
(Appellant)		(Respondent)

Appellant by : --- None ---  
Respondent by : Smt.Leena Lal, Senior AR

<b>Date of Hearing : 19.11.2024</b>	<b>Date of Pronouncement : 09.12.2024</b>
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**ORDER**

**Per Inturi Rama Rao, AM :**

This appeal filed by the assessee is directed against the order of the CIT(A) / NFAC DIN & Order No.ITBA/NFAC/S/250/2023-24/1059382503(1) dated 4<sup>th</sup> January, 2024 for the assessment year 2017-2018.

2. Briefly stated the facts of the case are that the assessee is a partnership firm engaged in the business of dealing with the electronics and home appliances. The return of income for the assessment year 2017-2018 was filed on 31.01.2018 declaring income of Rs.1,49,69,270. Against the said return of income, the assessment was completed by the Assessing Officer (AO) vide order dated 27.12.2019

passed u/s.143(3) of the Act at a total income of Rs.3,95,475 and after making following disallowances:

(i)	Addition u/s.36(va) of the Act	Rs.2,75,999
(ii)	Addition to the value of closing stock u/s.145A of the Act.	Rs.2,34,58,940

3. Being aggrieved by the above assessment order, the assessee has filed appeal before the learned Commissioner of Income-tax (Appeals), who vide the impugned order confirmed the action of the AO.

4. Being aggrieved, the assessee is in appeal before us in the present appeal. When the appeal was called, none appeared on behalf of the assessee despite due service of notice of hearing, therefore, we proceed to dispose of the appeal on merits based on the written submission available on record.

5. We have heard the learned Departmental Representative and perused the material on record. On perusal of the order passed by the NFAC it would reveal that the NFAC had merely dismissed the appeal after extracting the statement of facts and assessment order without stating the points for consideration and giving an independent finding on the issues raised in the grounds of appeal. Thus, the order of the NFAC does not exhibit any independent application of mind. Therefore, the order passed by the NFAC is hereby set aside to the file of the NFAC for fresh de novo disposal of the appeal on merits in accordance with law after affording due opportunity of being heard to the assessee.

6. In the result, the appeal filed by the assessee stands partly allowed.

Order pronounced on this 09<sup>th</sup> day of December, 2024.

**Sd/-**  
**(Prakash Chand Yadav)**  
**JUDICIAL MEMBER**

**Sd/-**  
**(Inturi Rama Rao)**  
**ACCOUNTANT MEMBER**

Cochin; Dated 09<sup>th</sup> December, 2024.  
Devadas G\*

Copy to :

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

Asst.Registrar/ITAT, Cochin