

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'SMC', NEW DELHI  
Before Sh. Satbeer Singh Godara, Judicial Member**

**ITA No. 3728/Del/2024  
(Assessment Year: 2017-18)**

New Star System Solutions Pvt. Ltd, 109, DLF Tower-A, 1 <sup>st</sup> Floor, Jasola, New Delhi (Appellant)	Vs. DCIT, Circle-18(2)
<b>PAN: AACCN6135C</b>	(Respondent)

Assessee by :	None
Revenue by:	Shri Sahil Kumar Bansal, Sr. DR
Date of Hearing	24/12/2024
Date of pronouncement	24/12/2024

**ORDER**

1. This assessee's appeal for Assessment Year 2017-18, arises against the order of CIT(A)/NFAC, Jaipur dated 28.05.2024 in case No. ITBA/APL/S/250/2024-25/1065179519(1), in proceedings u/s 143(3) of the Income Tax Act, 1961 (in short "the Act").
2. Case called twice. None appears at the assessee's behest. It is accordingly proceed ex-parte.
3. It emerges during the course of hearing with the able assistance coming from the Revenue side that both the learned lower authorities have made section 36(1)(iii) interest expenditure disallowance of Rs. 74,406/- alleging diversion of interest bearing funds for non-business purposes.
4. Faced with the situation, Mr. Bansal invites the tribunal's attention to assessment discussion at page 2 in para 4 wherein the impugned disallowance represents the difference between *suo motu* disallowance and that liable to be rejected u/s 36(1)(iii) of the Act; to the tune of Rs.74,406/- herein. The assessee has failed to rebut

this clinching finding during assessment as well as in the lower appellate proceedings. I, accordingly, do not find any merit in it's sole substantive ground. The same fails accordingly.

5. This assessee's appeal is dismissed.

Order pronounced in the open court on 24/12/2024.

Sd/-  
**(SATBEER SINGH GODARA)**  
**JUDICIAL MEMBER**

Dated: 24/12/2024  
A K Keot

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1. Applicant
2. Respondent
3. CIT
4. CIT (A)
5. DR:ITAT

ASSISTANT REGISTRAR  
ITAT, New Delhi