

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

BEFORE SHRI INTURI RAMA RAO, AM

**ITA No. 12/Coch/2025
Assessment Year: 2021-22**

Kothamangalam Housing Co-op. Society Ltd. Appellant
Cheriyapally, Kothamangalam P.O.
Ernakulam 686691
[PAN: AADAK5376P]

vs.

The Income Tax Officer Respondent
Ward - 1 & TPS, Thodupuzha

Appellant by: Smt. Pooja V.M., Advocate
Respondent by: Smt. Leena Lal, Sr. D.R.

Date of Hearing: 11.02.2025
Date of Pronouncement: 24.02.2025

ORDER

This appeal filed by the assessee is directed against the order of the National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 06.11.2024 for Assessment Year (AY) 2021-22.

2. Brief facts of the case are that the appellant is a housing co-operative society. The return of income u/s. 139(8A) of the Income Tax Act, 1961 (the Act) for AY 2021-22 was filed on 31.03.2023 declaring total income at Rs.57,400/-. The said return of income was processed u/s. 143(1) of the Act by the CPC, Bengaluru at Rs. 48,38,910/-. While doing so, the CPC made a disallowance of Rs. 47,82,510/- on account of

deduction u/s. 80P of the Act for the reason that the return of income was not filed within due date.

3. The appellant filed a petition before the Pr. Commissioner of Income Tax (PCIT) seeking condonation of delay in filing the return of income.

4. Since the assessee had moved petition for condonation of delay before the PCIT, the matter is restored to the file of the CPC to make fresh assessment depending upon the outcome of the condonation petition filed by the appellant before the PCIT.

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

6. Order pronounced in the open court on 24th February, 2025.

Sd/-
(INTURI RAMA RAO)
ACCOUNTANT MEMBER

Cochin, Dated: 24th February, 2025

n.p.

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