

**IN THE INCOME TAX APPELLATE TRIBUNAL
COCHIN BENCH
BEFORE SHRI INTURI RAMA RAO, AM**

**ITA No. 473/Coch/2024
Assessment Year: 2014-15**

Thettayil Devassy Vargheese Appellant
Thettayil House, Mulangunnathukavu
Thrissur 680 581
[PAN: ADEPV4594P]

vs.

The Income Tax Officer, Ward - 2(3), Thrissur Respondent

Appellant by: Shri Tomson T. Emmanuel, Advocate
Respondent by: Smt. Leena Lal, Sr. D.R.

Date of Hearing: 28.04.2025
Date of Pronouncement: 30.04.2025

ORDER

This appeal filed by the assessee is directed against the order of the National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 14.02.2024 for Assessment Year (AY) 2014-15.

2. Brief facts of the case are that the appellant is an individual carrying on business in the name and style of "Thettayil Metals". The return of income for AY 2014-15 was filed on 28.11.2014 declaring income of Rs. 7,23,240/-. Against the said return of income, the assessment was completed by the Income Tax Officer, Ward-2(3), Thrissur (hereinafter called "the AO") vide order dated 30.12.2016 passed u/s. 143(3) of the Income Tax Act, 1961 (the Act) at a total income of Rs. 41,01,156/-. While doing so, the AO made addition of

Rs. 33,77,916/- being the amount of cash stated to have been received from sister concern, namely Thettayil Traders, a partnership firm in which the appellant is interested as a partner, disbelieving the version of the appellant that the cash was received on account of sales made.

3. Being aggrieved, an appeal was filed before the CIT(A), who vide the impugned order confirmed the action of the AO, in the absence of necessary evidence.

4. Being aggrieved, the appellant is in appeal before us in the present appeal.

5. During the course of hearing the appellant filed an application for admission of additional evidence in the form of invoices and lorry receipts in order to demonstrate the sales were actually made to Thettayil Traders. I am satisfied with the reasons for not filing the additional evidence before the lower authorities. Therefore, I remand the matter back to the file of the AO to decide the issue afresh taking into consideration the additional evidence filed before me. All other contentions raised before me are kept open before the AO.

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

Order pronounced in the open court on 30th April, 2025.

Sd/-
(INTURI RAMA RAO)
ACCOUNTANT MEMBER

Cochin, Dated: 30th April, 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

By Order

Assistant Registrar
ITAT, Cochin