

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

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

ITA No.808/Coch/2024 : Asst.Year 2016-2017

Pullokaran Varghese Nixon Pullokaran House Elinjipra Road Chalaky - 680 721. PAN : ANNPNO147K.	v.	The Income Tax Officer Ward 2(3) Thrissur.
(Appellant)		(Respondent)

Appellant by : Sri.A.Gopalakrishnan, CA
Respondent by : Smt.Leena Lal, Sr.AR

Date of Hearing : 27.05.2025.	Date of Pronouncement : 30.05.2025
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ORDER

Per Prakash Chand Yadav, JM :

The present appeal of the assessee is arising from the order of the National Faceless Appeal Centre / learned Commissioner of Income-tax (Appeals) ["CIT(A)" for short] dated 09.07.2024, having DIN & Order No.ITBA/NFAC/S/250/2024-25/1066512123(1) and relates to the assessment year 2016-2017.

2. The assessee has raised 12 grounds of appeal, however, the solitary issue involved in this case is the addition of Rs.1,67,08,250 u/s.69 of the Act, which has been reduced to Rs.73,33,250 by the CIT(A).

3. At the outset, the learned Counsel for the assessee pointed out that the AO has failed to appreciate that proportionate addition ought to have been made because the assessee has scattered investments in property in three different years. It is the contention of the learned Counsel for the assessee that the CIT(A) has not been able to appreciate the fact correctly.

4. The learned DR relied upon the orders of the authorities below.

5. After considering the rival submissions, we are of the view that the issue requires fresh consideration at the end of the Assessing Officer, because the AO will examine the entire issue afresh after considering the period of investments vis-à-vis additions made by him u/s.69 of the Act. With these observations, we restore this matter back to the file of the AO for examining afresh. Needless to say, the AO shall afford meaningful opportunity of being heard to the assessee, before passing any order.

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

Order pronounced on this 30th day of May, 2025.

Sd/-
(Inturi Rama Rao)
ACCOUNTANT MEMBER

Sd/-
(Prakash Chand Yadav)
JUDICIAL MEMBER

Cochin; Dated : 30th May, 2025.
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