

IN THE INCOME TAX APPELLATE TRIBUNAL  
NAGPUR "SMC" BENCH : NAGPUR

BEFORE SHRI NARENDER KUMAR CHOUDHRY, JUDICIAL MEMBER

I.T.A.No. 611/NAG/2024  
(Assessment Year 2013-14)

Hi-Tech Board Pvt. Ltd., 556, Hiwari Layout, Opp. Inox Mall Bhandara Road, Nagpur.  PAN : <b>AACCH 4880 Q</b>	vs.	DCIT/ACIT, Circle-4, Nagpur.
(Appellant)		(Respondent)

For Assessee :	Shri K.K. Thakkar, Ld. CA
For Revenue :	Shri Surjit Kumar Saha, Ld.Sr.DR

Date of Hearing :	25.06.2025
Date of Pronouncement :	25.06.2025

**ORDER**

This appeal has been preferred by the assessee against the order dated 14/10/2024 impugned herein passed by the Ld. Commissioner of Income Tax (Appeals)/NFAC, Delhi [in short, "Ld.Commissioner"] u/sec. 250 of the Income Tax Act, 1961 (for short, "the Act") for the Assessment Year (for short, "AY") 2013-14.

**2.** Admittedly, the case of the assessee was reopened after 04 years from the end of the relevant assessment year and on the

basis of schedule of fixed assets of balance sheet which was already available before the AO while considering the return filed by the assessee and making the assessment u/sec. 143(3) of the Act on dated 14/03/2016, which resulted into assessing the loss of ₹ 1,34,02,796/-. There is nothing appearing in the reasons recorded as to what material the assessee failed to disclose fully and truly which has escaped assessment and thus the reopening proceedings is hit by 1<sup>st</sup> proviso to sec. 147 of the Act.

**3.** Thus, considering the aforesaid peculiar facts and circumstances of the case, this Court is of the considered view, the notice issued on dated 31/03/2021 for reopening the case u/sec. 147 of the Act along with assessment order dated 25/03/2022 passed in consequent to the 148 notice, is liable to be quashed. Thus, the same is quashed.

**4.** In the result, appeal of the Assessee is allowed.

Order pronounced in the open Court on 25.06.2025.

Sd/-  
(Narender Kumar Choudhry)  
Judicial Member

vr/-

Copy to

1.	The appellant
2.	The respondent
3.	The CIT(A), Nagpur concerned.
4.	D.R. ITAT, Nagpur Bench, Nagpur.
5.	Guard File.

//True Copy //

By Order

Sr. Private Secretary,  
ITAT, Nagpur Bench.