



**IN THE INCOME TAX APPELLATE TRIBUNAL,
CUTTACK 'SMC' BENCH, CUTTACK**

BEFORE SHRI DUVVURU RL REDDY, VICE PRESIDENT(KZ)

ITA No.222/CTK/2025
Assessment Year : 2014-15

Sandeep Rout S/O – Late Madhusudan Rout Bhimpur, Haripur, Balasore, 756019	Vs.	ITO, Ward-1, Balasore
PAN/GIR No.AXFPP R2321 F		
(Appellant)	..	(Respondent)

Assessee by : Shri Natabar Panda, Adv
Revenue by : Shri S.C.Mohanty, Sr. DR

Date of Hearing : 30/06/2025
Date of Pronouncement : 30/06/2025

ORDER

The present appeal is directed at the instance of assessee against the order of Id Addl/JCIT(Appeal-1, Bengaluru dated 24/02/2025 in Appeal No.CIT(A), Cuttack/10351/2019-20 passed for Assessment Year 2014-15.

2. Facts of the case are that the assessee is an individual derives income from business. The return of income is filed for the assessment year 2014-15 on 31.3.2014 disclosing total income at Rs.2,27,040/-. The return was processed u/s.143(1) of the act and subsequently, the return

was reopened by issuance of notice u/s.148 of the Act on 29.3.2019 and served on the assessee. In response to notice u/s.148 of the Act, the assessee filed his return of income on 11.5.2019 showing income of Rs.2,27,040/-. During the course of assessment proceedings, it was found by the AO that the assessee had purchased an immovable property at Sahadevkhunta whose SDV was Rs.21,33,000/- and the actual sale consideration as per sale deed was Rs.12,00,000/-. The AO required the assessee to explain the source of investment and also the differential amount of Rs.9,33,000/- between the SDV amount and sale consideration. In reply, the assessee stated that the difference of purchase and the fair market value depends on a lot of facts considering the location and nature of land. The above explanation of the assessee was not acceptable to the AO and, accordingly, the differential value of Rs.9,33,000/- was added to the total income of the assessee.

3. In the first appeal, the Id Addl/JCIT(A)-1, Bengaluru dismissed the appeal of the assessee on account of non-representation by the assessee.

4. At the time of hearing, Id AR of the assessee stated that the assessee had no knowledge to operate the email id or visit the portal of the department. Ld Addl/JCIT(A) sent all the notices through email id and for this reason, the assessee did not have any knowledge about the notices issued by the Id Addl/JCIT(A). He prayed that one more opportunity be

granted to the assessee to explain the differential amount regarding purchase value and SDV value of the property.

5. In reply, Id Sr DR did not have any objection to restoring the matter to the file of the Id CIT(A).

6. I have considered the rival submissions. The reasons as stated by the Id AR of the assessee for not complying with the notices issued by the Id Addl/JCIT(A) is that the assessee did not have any knowledge about operating the email.id given in the departmental portal, for which, he could not know the notices being issued for appellate proceedings. Before me, Id AR undertakes to cooperate if the matter is remitted back to the file of the Id CIT(A) for readjudication. In view of above, in the interest of justice, the issues in this appeal are restored to the file of the Id CIT(A) for fresh adjudication after affording adequate opportunity of hearing to the assessee. At the same breath, I also hereby caution the assessee to promptly co-operate with the proceedings before the CIT(A), failing which the Id CIT(A) shall be at liberty to pass appropriate order in accordance with law and merits based on the materials available on the record. Thus, the grounds raised by the assessee are allowed for statistical purposes.

7. In the result, appeal of the assessee stands allowed for statistical purposes.

Order dictated and pronounced in the open court on 30/06/2025.

Sd/-
(DUVVURU RL REDDY)
VICE PRESIDENT

Cuttack: Dated 30/06/2025

B.K.Parida, Sr. PS (OS)

Copy of the Order forwarded to :

1. The Appellant : Sandeep Rout
S/O – Late Madhusudan Rout Bhimpur, Haripur,
Balasore, 756019
2. The Respondent : ITO, Ward-1, Balasore
3. The Addl/JCIT(A)-Bengaluru
4. Pr.CIT- Cuttack
5. DR, ITAT, Cuttack
6. Guard file.
//True Copy//

By order

Asst.Registrar,
Itat, cuttack