

IN THE INCOME TAX APPELLATE TRIBUNAL
“B” BENCH, CHANDIGARH

PHYSICAL HEARING

BEFORE HON'BLE SHRI LALIET KUMAR, JM
AND
HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM

आयकरअपीलसं./ ITA No. 391 /CHANDI/2024
(निर्धारणवर्ष / Assessment Year: 2012-13)

Ms. Varinda Sharma House No. 19A, Guru Arjan Dev Colony Rajpura H.O Nilpur, Patiala-140401	बनाम/ Vs.	ITO - Ward -1 K.C. Road Barnala.148101
स्थायीलेखासं./जीआइआरसं./PAN/GIR No. EHMPS-5893-E		
(अपीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थीकीओरसे/ Appellant by	:	Sh. Ashok Goyal (CA) and Shri Nikhil Goyal (CA) – Ld. ARs
प्रत्यर्थीकीओरसे/Respondent by	:	Ms. Tarundeep Kaur (CIT) – Ld. DR

सुनवाईकीतारीख/Date of Hearing	:	25-06-2025
घोषणाकीतारीख /Date of Pronouncement	:	01-07-2025

आदेश / O R D E R

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year (AY) 2012-13 arises out of an order of learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 11-01-2024 in the matter of an assessment framed by Ld. Assessing Officer [AO] u/s. 143(3) r.w.s. 263 of the Act on 28-12-2018. The sole grievance of the assessee is confirmation of addition of unexplained investment for Rs.27.19 Lacs. The assessee failed to

substantiate the same during the course of assessment proceedings. The position remained the same during first appeal and accordingly, the assessment was confirmed against which the assessee is in further appeal before us. The Ld. AR has pleaded that the assessee is in a position to substantiate the sources of investment and accordingly, sought another opportunity of hearing before lower authorities. The same has been opposed by Ld. CIT-DR.

2. Keeping in mind the principles of natural justice and considering the plea of Ld. AR, we deem it fit to afford another opportunity of hearing to the assessee to substantiate its case before Ld. AO. Accordingly, the impugned order is set aside and the assessment is restored back to the file of Ld. AO for de novo assessment with a direction to the assessee to plead and prove its case forthwith.

3. The appeal stand allowed for statistical purposes.

Order pronounced on 01-07-2025.

Sd/-
(LALIET KUMAR)
JUDICIAL MEMBER

Sd/-
(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER

Dated: 01-07-2025

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकरआयुक्त/CIT
4. विभागीयप्रतिनिधि/DR
5. गार्डफाईल/GF

ASSISTANT REGISTRAR

ITAT CHANDIGARH