

**IN THE INCOME TAX APPELLATE TRIBUNAL,
KOLKATA-RANCHI 'e-COURT', KOLKATA
[Hybrid Court Hearing]**

**Before Shri Duvvuru RL Reddy, Vice-President (KZ)
&
Shri Ratnesh Nandan Sahay, Accountant Member**

**I.T.A. No. 369/RAN/2024
Assessment Year: 2020-2021**

***Trinetra Innovations Pvt. Limited,.....Appellant
Dhansar, S.O. Jharia,
Dhanbad-828106, Jharkhand
[PAN:AABCT8553H]***

-Vs.-

***Deputy Commissioner /Assistant Commissioner of
Income Tax,.....Respondent
Circle-1, Dhanbad,
Office of the DCIT/ACIT, Aayakar Bhawan,
Luby Circular Road, Dhanbad-826001,
Jharkhand***

Appearances by:

N o n e, appeared on behalf of the assessee

*Shri Khubchand T. Pandya, Sr. D.R., appeared on behalf
of the Revenue*

Date of concluding the hearing: July 21, 2025

Date of pronouncing the order: August 25, 2025

O R D E R

Per Duvvuru RL Reddy, Vice-President (KZ):-

The present appeal is directed at the instance of assessee against the order of ld. Commissioner of Income Tax (Appeals),

National Faceless Appeal Centre (NFAC), Delhi dated 26th August, 2024 passed for Assessment Year 2020-21.

2. Brief facts of the case are that the appellant-assessee is a Private Limited Company, which filed its return of income electronically on 04.02.2021 showing total income of Rs.52,97,866/- for AY 2020-21. The assessee-company is engaged in dealing coal and coke as well as sale and purchase of land. The case of the assessee-company was selected for scrutiny under CASS for complete scrutiny. The assessee-company has claimed substantial business loss and set off the same against income under other heads. The assessee has shown wrong loss from business in order to reduce its taxable income by its set off against other heads of income. Therefore, the genuineness /correctness of business loss needs to be verified. The assessee-company furnished computation of total income alongwith audited statement of account. The assessee-company also furnished details of bad debts amounting to Rs.73,51,540/- along with copy of the accounts of the parties. Statutory notice under section 142(1) was issued to the assessee by the ld. Assessing Officer to furnish documentary evidence in details, but the assessee failed to furnish any documentary evidence in support of its claim with regard to loss of fixed assets and net written off amounting to Rs.13,46,426/- and Rs.45,52,133/- as claimed in its ITR at page 28, point no. 46 of manufacturing account where other expenses were mentioned. Finally, ld. Assessing Officer assessed the total taxable income of the assessee at Rs.58,98,559/- and initiated penalty proceedings under section 270A of the Income Tax Act. On

being aggrieved, the assessee preferred an appeal before the ld. CIT(Appeals).

3. The ld. CIT(Appeals) dismissed the appeal of the assessee *ex-parte* as the assessee failed to produce satisfactory documentary evidences in support of his claim inspite of sufficient opportunities given.

4. On being aggrieved, the assessee preferred an appeal before the ITAT.

5. None appeared on behalf of the assessee. Therefore, we have decided to dispose of the appeal after hearing the ld. Departmental Representative and perusing the material available on record.

6. It was the submission of the ld. Departmental Representative that sufficient opportunity was being provided to the assessee. He further submitted that the assessee is not interested in prosecuting its appeal as well as there was no response from the side of assessee. Therefore, the ld. CIT(Appeals) has no other option except dismissing the appeal and he pleaded to uphold the order passed by the ld. CIT(Appeals).

7. We have heard both the sides and perused the material available on record. The ld. CIT(Appeals) dismissed the appeal of the assessee *ex-parte* without going into the merit of the case. By considering the totality of the facts and circumstances of the case, and in order to ensure the principle of natural justice, we are of

the view that it is a fit case to provide one more opportunity to the assessee. Therefore, we remit the matter back to the file of Id. CIT(Appeals) with a direction to dispose of the appeal without any inference on the observations of earlier order passed by him and to decide it afresh on merit. At the same breath, we also hereby caution the assessee to promptly co-operate with the proceedings before the Ld. CIT(Appeals) failing which the Ld. CIT(Appeals) shall be at liberty to pass appropriate order in accordance with law and merits of the case, based on the materials available on the record. Thus, the grounds raised by the assessee are allowed for statistical purposes.

8. In the result, the appeal of the assessee is allowed for statistical purposes.

Order pronounced in the open Court on 25/08/2025.

Sd/- (Ratnesh Nandan Sahay) Accountant Member	Sd/- (Duvvuru RL Reddy) Vice-President
---	--

Kolkata, the 25th day of August, 2025

*Copies to :(1) Trinetra Innovations Pvt. Limited,
Dhansar, S.O. Jharia,
Dhanbad-828106, Jharkhand*

*(2) Deputy Commissioner / Assistant
Commissioner of Income Tax,
Circle-1, Dhanbad,
Office of the DCIT/ACIT, Aayakar Bhawan,
Luby Circular Road, Dhanbad-826001,
Jharkhand*

- (3) *CIT(Appeals), NFAC, Delhi;*
- (4) *CIT - ;*
- (5) *The Departmental Representative;*
- (6) *Guard File*

TRUE COPY

By order

*Assistant Registrar,
Income Tax Appellate Tribunal,
Kolkata Benches, Kolkata*

Laha/Sr. P.S.