

**IN THE INCOME TAX APPELLATE TRIBUNAL DELHI  
(DELHI BENCH 'E' NEW DELHI)**

**BEFORE S. RIFAUH RAHMAN, ACCOUNTANT MEMBER  
AND  
SHRI YOGESH KUMAR U.S., JUDICIAL MEMBER**

**ITA No. 1179/Del/2025 (A.Y. 2017-18)**

Moradabad Zila Sahkari Bank Limited, C/o Kashyap & Co. 114/214, Citi Centre, Begum Bridge Road, Meerut, Uttar Pradesh <b>PAN: AAABM0292N</b>	Vs	Assistant Commissioner of Income Tax-1, Aayakar Bhawan, New Civil Lines Moradabad, Uttar Pradesh
<b>Appellant</b>		<b>Respondent</b>
Assessee by	Sh.P. S. Kashyap, FCA	
Revenue by	Sh. Dheeraj Kumar Jain, Sr. DR	
Date of Hearing	02/09/2025	
Date of Pronouncement	26/09/2025	

**ORDER**

**PER YOGESH KUMAR, U.S. JM:**

The present appeal is filed by the Assessee against the order of Ld. Commissioner of Income Tax (Appeals)/ ADDL/JCIT (A), Mysore- ('Ld. CIT(A)' for short), New Delhi dated 17/02/2025 for the Assessment Year 2017-18.

2. Brief facts of the case are that, the Assessee filed return of income declaring total income of Rs. 2,21,56,340/- in the status of co-operative society. The case of the Assessee was selected for scrutiny under CASS. The A.O. issued notice u/s 142(1) of Income Tax Act, 1961 ('Act' for short) calling upon the Assessee to furnish the details of other miscellaneous expenses with evidence for Rs. 41,99,409/- As

the Assessee failed to submit any evidence, A.O. passed the assessment order by disallowing 30% of Rs. 41,99,409/- and made disallowance of Rs. 12,59,822/-. Aggrieved by the assessment order dated 23/12/2019, Assessee preferred an Appeal before the Ld. CIT(A). The Ld. CIT(A) vide order dated 17/02/2025 dismissed the Appeal of the Assessee on the ground that the Assessee has not produced requisite documents either before the A.O. or before the CIT(A) by confirming the disallowance made by the A.O. Aggrieved by the order of the Ld. CIT(A) dated 17/02/2025, the Assessee preferred the present Appeal.

3. The Ld. Counsel for the Assessee submitted that the Assessee could not produce the requisite details before the A.O. as well as before the Ld. CIT(A). However vehemently submitted that, the Lower Authorities have committed error in making ad-hoc disallowance of 30% from other expenses without doubting the genuineness of the expenses. Thus, sought for allowing the Appeal.

4. Per contra, the Ld. Departmental Representative submitted that as the Assessee has not provided requisite documents, therefore, the authorities have rightly made the disallowance which requires no interference at the hands of the Tribunal.

5. We have heard both the parties and perused the material available on record. The only reason for making disallowance that the

Assessee has not produced the details of bills/vouchers in support of claim under 'other expenses'. Considering the status of the Assessee and in the interest of justice, we are of the opinion that if an opportunity is given to the Assessee to produce the details as required by the A.O. to substantiate the claim of the Assessee and direct the A.O. to decide the issue afresh which will render the substantial justice. Accordingly, the issue in hand is remanded to the file of the A.O. with a direction to the Assessee to produce all requisite documents in support of its claim of 'other expenses' and the A.O. is directed to consider the same and pass the assessment afresh in accordance with law.

6. In the result, Appeal of the Assessee is partly allowed for statistical purpose.

**Order pronounced in the open court on 26<sup>th</sup> September, 2025**  
**Sd/-** **Sd/-**

**(S. RIFAUR RAHMAN)**  
**ACCOUNTANT MEMBER**

**(YOGESH KUMAR U.S.)**  
**JUDICIAL MEMBER**

Date:- 26 .09.2025  
R.N, Sr.P.S\*

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR  
ITAT, NEW DELHI