

**INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH "C": NEW DELHI
BEFORE SHRI M. BALAGANESH, ACCOUNTANT MEMBER
AND
MS MADHUMITA ROY, JUDICIAL MEMBER**

ITA No. 3148/Del/2025
(Assessment Year:2021-22)

Malika Bakshi 32, Vasant Marg, Vasant Vihar, New Delhi	Vs.	PCIT, New Delhi
(Appellant)		(Respondent)
PAN: ALWPB4579N		

Assessee by :	Shri Hariom Jindal, CA
Revenue by:	Shri Dayainder Singh Sidhu, CIT(DR)
Date of Hearing	11/11/2025
Date of pronouncement	28/11/2025

ORDER

PER M. BALAGANESH, A. M.:

1. The appeal in ITA No.3148/Del/2025 for AY 2021-22, arises out of the order of the Pr. Commissioner of Income Tax (Central)-1, New Delhi [hereinafter referred to as 'Id. Pr. CIT(A)', in short] dated 06.03.2025 against the order of assessment passed u/s 143(3) of the Income-tax Act, 1961 (hereinafter referred to as 'the Act') dated 31.03.2023 by the Assessing Officer, ACIT, Central Circle-5, Delhi (hereinafter referred to as 'Id. AO').
2. This appeal is filed by the assessee challenging the validity of assumption of revision jurisdiction u/s 263 of the Act both on law as well as on facts.
3. We have heard the rival submissions and perused the material available on record. The assessee has filed her return of income for AY

2021-22 on 14.01.2022 declaring taxable income of Rs. 3,44,60,520/- which stood revised on 30.03.2022 declaring taxable income at Rs. 6,64,50,520/-. The assessment u/s 143(3) of the Act was completed on 31.03.2023 determining total income of Rs. 13,96,56,992/- after making an addition of Rs. 9,31,96,472/- on account of long term capital gains and Rs. 1,20,00,000/- on account of unexplained money u/s 69A read with Section 115BBE of the Act. In the assessment order, the Id AO had given long term capital gain computation of Rs. 9,31,96,472/- and had added the same in the final computation of income as against long term capital gain disclosed by the assessee in the sum of Rs. 1,89,47,440/-. But the Id AO instead of adding the difference of Rs. 7,42,49,032/- (Rs. 9,31,96,472/- (-) 1,89,47,440/-) erroneously added the gross long term capital gain figure to Rs. 9,31,96,472/- in the assessment order thereby leading to double addition of Rs 1,99,47,440/-. Further in the computation of total income which is enclosed separately as computation sheet, the Id AO had considered the actual income of the assessee only at Rs. 12,07,19,604/- which is after reducing the long term capital gain disclosed by the assessee in the return and amount of tax and interest payable determined accordingly. This assessment order was framed on 31.03.2023 u/s 143(3) of the Act. The assessee filed rectification application u/s 154 of the Act on 19.04.2023 before the Id AO seeking rectification the aforesaid mistake in the body of the assessment order. The said application was not disposed of by the Id AO. Meanwhile, the Id PCIT by invoking his revision jurisdiction u/s 263 of the Act sought to revise the assessment order framed u/s 143(3) of the Act dated 31.03.2023 by treating the said order as erroneous inasmuch as it is prejudicial to the interest of the revenue on the ground that in the computation sheet attached with the assessment order, the total income was wrongly taken

by the Id AO at Rs. 12,07,09,600/- as against the total income mentioned in the body of the assessment order at Rs. 13,96,56,992/-.

4. We have already stated earlier that the figure mentioned in the computation sheet attached with the assessment order is correct and the figure mentioned in the body of the assessment order is incorrect as the Id AO had adopted the gross long term capital gain figure of Rs. 9,31,96,472/- without reducing the long term capital gain already disclosed by the assessee in the return of income. Hence, we hold that there is no error in the computation sheet of the assessment order at all warranting any revision thereon by the Id PCIT. Hence, we have no hesitation to quash the order passed u/s 263 by the Id PCIT by holding that the very basis of assumption of revision jurisdiction by the Id PCIT is completely flawed. The revision order passed u/s 263 of the Act is totally quashed. Accordingly, the grounds raised by the assessee are allowed.

5. In the result, the appeal of the assessee is allowed.

Order pronounced in the open court on 28/11/2025.

-Sd/-
(MADHUMITA ROY)
JUDICIAL MEMBER

-Sd/-
(M. BALAGANESH)
ACCOUNTANT MEMBER

Dated: 28/11/2025
A K Keot

Copy forwarded to

1. Applicant
2. Respondent
3. CIT
4. CIT (A)
5. DR:ITAT

ASSISTANT REGISTRAR
ITAT, New Delhi