

INCOME TAX APPELLATE TRIBUNAL,
CONSOLIDATED STATEMENT
SHOWING THE LIST OF THIRD MEMBER CASES AS ON 10.12.2025

Sr.No.	Appeal No.	Name of the Assessee	Bench	Points involved	REMARKS
<u>Ahmedabad Zones</u>					
	<u>SURAT BENCH</u>				
1	IT(SS)A No 54/SRT/2024 IT(SS)A NO.15/SRT/2024 C.O.NO.14/SRT/2024 C.O.NO.10/SRT/2024	Shree Kuberji Developers	1.ShriPawan Singh (JM) 2. Shri Bijayananda Pruseth(AM)	1 Annexure	Fixed on 18.12.2025
2	IT(SS)A No 01/SRT/2023 IT(SS)A NO.02/SRT/2023 C.O.NO.05/SRT/2023 C.O.NO.06/SRT/2023	M/s. Banke Bihari Developers	1.ShriPawan Singh (JM) 2. Shri Bijayananda Pruseth(AM)	Annexure	Fixed on 18.12.2025
	<u>INDORE BENCH</u>				
3.	ITA 375/IND/2024	M/s.Hotel R.K. Regency, Bhopal	1.Shri B.M.Biyani, (AM) 2.Shri Paresh M. Joshi.(JM)	“Whether on the facts and in the circumstances of the case and in law, the income of Rs. 8,44,400/- surrendered by assessee during survey u/s 133A of the Income tax Act, 1961 can be taxed u/s 69/69A r.w.s. 115BBE or whether that income is entitled to be taxed as business income?” 1.	Pending and to be heard as soon as Hon’ble VP(AZ) approves the date of hearing.
4.	IT(SS) No.113/Ind//2020	Shri Kailash Narayan Patidar	1.Shri B.M.Biyani, (AM) 2.Shri Paresh M. Joshi.(JM)	Annexure	Do-

Chandigarh Zone					
	AMRITSAR BENCH				
5.	ITA 36 & 37 ASR/2015 & ITA 356/ASr/2016	M/s. HPCL Mittal Pipelines Ltd. Bathinda	1.Dr.D.L.Meena(AM) 2. Shri Anikesh Banerjee(JM)	Annexure	Fixed on 18.12.2025
6.	ITA 38 & 39 /ASR/2015 & ITA 355//ASR/2016	M/s. HPCL Mittal energy Ltd. Bathinda	----do----		Fixed on 18.12.2025
7.	ITA 91/ASR/2016	M/s. Talwandi Sabo Power Ltd. Mansa	----do----		Fixed on 18.12.2025
	JAIPUR BENCH				
8.	ITA 21 & 22/JPR/2025	Shri Mukesh Khan	1.Shri Rathod KamleshJayantibhai(JM) 2. Shri NarinderKumarAM)	<p><u>Per AM</u></p> <p>a) Can the provision of Section (2) (47A) and Section 115BBH be applied for the year under consideration i.e 2018-19?</p> <p>b) Considering the Circular of Reserve Bank of India dated 06.04.2018, whether the transaction recorded in the books of accounts which are in Crypto currency converted into Rupee is legal or not?</p> <p>(c) Whether the transaction undertaken in Crypto Currency to be considered is net or gross and to be taxed separately without adjusting inte-head?</p> <p>(d) Whether the disclosure requirement in the I.T.R. and Tax Audit Report was applicable to the assessee in the year under consideration or not?</p> <p><u>Per JM</u></p> <p>"To find out as to whether, this is a case of loss or profit to the trasactions pertaining to crypto currency, each inflow of crypto currency, may be in fractions, and outflow too, needs to be</p>	Heard on 25.09.2025

				<p>worked out first, based on market value/price as prevailing on the concerned days, i.e the value recognized on international exchanges dealing with crypto currency in dollar denomination and then conversion thereof into Indian rupee, and as such the matter needs to be restored to the files of the Assessing Officer instead of allowing of ground No.2 in favour of the assessee and also instead of fully allowing of this appeal."</p>	
9.	ITA 444 & 450/JPR/2024	Shri Surendra Pal Singh Sahni	<p>1.Shri RathodKamleshJayantibhai(AM)</p> <p>2. Shri Narinder Kumar(JM)</p>	<p><u>Per, AM</u></p> <p>"Considering the facts and circumstances of the case, the AO while estimating the income as per direction of ITAT in first round should consider the peak during the day without considering the particular day's credit/debit or he should have taken particular day's peak credit ignoring the debit transaction of a day to determine peak credit."</p> <p><u>Per JM</u></p> <p>"As to whether, while applying peak credit theory, A.O. required to consider the peak credit "at the end of the day" OR to consider "the peak amount" having regard to the principles of said theory, and specific observations in the first round by the Co-ordinate ITAT Jaipur Bench that as per accounting principles in case of undisclosed bank account in which cash had been deposited the AO was required to calculate the peak by merging of all the undisclosed bank accounts."</p>	<p>Heard on</p> <p>25.09.2025</p>

10	ITA 209/JP/2024	Shri Naresh Kumar	1. Shri K.J.Rathod (AM) 2. Shri Narinder Kumar ((JM)	i)Whether based on the facts and circumstances of the case when the Id.AO has verified the issue of chargeability of interest in hands of the assessee and taken a plausible view. Whether that view taken by the Id.AO which is one of plausible view can be subjected to revision as per provision of section 263 of the Act or not.” ii) “If yes, whether in view of insertion of provisions of section 56(2) (viii) of the Income Tax act and enforcements made as per Finance Act, 2009 w.e.f. 01/04/2010, whether the decision of Hon’ble Apex Court in CIT v. Ghanshyam (HUF), [2009] 182 Taxman 368 comes to the rescue of the assessee to claim that amount of interest received on compensation or enhanced compensation is to be dealt with under “capital gains” or as per provisions of section 56(2)(viii) said amount of interest received on compensation or enhanced compensation is to be dealt under the Head “Income from other sources?”	Pending
Delhi Zone					
	DELHI BENCHES				
11	ITA 764/Del/2014	M/s Huntsman Investment (Netherlands) B.V.Netherlands Delhi	1. Shri N.K.Billaiya,AM 2. Shri N.K.Choudhury, JM	Annexure	Heard on 28.11.2025
12.	ITA Nos.3318 to 3321/Del/2019	KAD Housing Pvt.Ltd.	1.Shri C.N.Prasad (JM) 2.Shri Brajesh Kumar Singh(AM)	Annexure	Remarks of Hon’ble Bench who originally heard the appeals:- For reframing the questions of law after hearing both

					the parties List for hearing on 19.12.2025.
13	ITA No 1884 & 2142/Del/2023 A.Y. 2017-18	Shri Jaswinder Singh, Delhi	1.Ms.Madhumita Rai (JM) 2.Shri Avdhesh Kumar Mishra ((AM)	"As to whether under the present facts and circumstances of the matter, the impugned order passed under Section 143(3) is sustainable as the satisfaction has been recorded on 26.03.2019 by the AO of the searched party and accordingly assessment of the year under consideration should have been made under Section 153C instead of 143(3) of the Act or not. "	Remarks of Hon'ble President:- In view of the order dated 14.11.2025 by the Ld. Third member and particularly having regard to the penultimate para, the appeal be placed before the Division Bench which originally heard the appeals. The office shall place the chronology of the events/order before the Division Bench with the appeals.
14	ITA 2542/Del/2024 A.Y. 2017-18	M/s. Hero Fin Corpn Limited	1. Shri SatbeerSinghGodara (JM) 2. Shri Brajesh Kumar Singh(AM)	"Whether in the facts and circumstances of the case, learned CIT(A)/NFAC's action upholding section 56(2)(vi)(b) addition of Rs. 418,66,34,625/- in assessee's hands, deserves to be reversed?"	Heard on 11..11.2025
15	ITA 233 to 236/Del/2021, ITA 252 to 261 and 294/Del/2021 , ITA 2649 to 2659/Del/2022	JBM Auto Limited	1 Ms. Madhumita Roy (JM) 2. Sh. Brajesh Kumar Singh (AM)	1."As to whether under the present facts and circumstances of the matter whether the assessment orders based on the erroneous, non-speaking orders of approval	Heard on 15.10.2025

				under section 153 D of the Income Tax Act, dated 29.12.2019 issued by the Ld. Addl. CIT are sustainable in the eyes of Law or not.” 2. “Whether in the facts and circumstances of the case, the respective approvals under section 153D of the Income tax Act, 1961 dated 29.12.2019 granted by the Addl. CIT for the assessment orders subject matter of the appeals are as per law or not?”	
	ITA 237/del/2021 & ITA 262 to 271/Del/2021	Jay Bharat Maruti Ltd.	Do	Do	Heard on 15.10.2025
	ITA 862 to 872/Del/2022	Sunil Kumar Aggarwal	Do	Do	Heard on 15.10.2025
	ITA 1313 to 1322/Del/2022	Neel Industries Pvt. Ltd.	Do	Do	Heard on 15.10.2025
	ITA 486/Del/2024 & ITA 1323 to 1328 & ITA 2645 & 2646/Del/2022	JBM Industries Ltd.	Do	Do	Heard on 15.10.2025
16	ITA 2964/DEL/2023	Shri Bhupinder Singh Bhalla	1.Shri Vimal Kumar,JM 2.Shri Brajesh Kumar Singh (AM)	“Whethe in the facts and Circumstances and in law, the order of the Ld.CIT(A) deleting the disallowance of Rs. 41,71,72,652/- claimed by the assessee under Section 54B of the Act should be confirmed /reversed?”	Heard on 04.11.2025
17	ITA 4787/Del/2014	M/s Monnet Power Co..Ltd	1.Shri K.N.Chary, JM 2.Shir A.N.Misshra, AM	<u>Per JM</u> 1 Whether in the facts and circumstances of the case, the disallowance of the expenditure made by the Ld. Assessing Officer has correctly been deleted by the Ld.CIT(A)? 2. Whether having reached a conclusion, on the facts of the case, that the addition/ disallowance, so made by the learned Assessing Officer, cannot be sustained, is it open for the Tribunal to remand the matter to the file of the learned Assessing Officer with a direction to scrutinize the claim of capital expenditure afresh and to make disallowance out of it?	Heard on 17.11.2025

				<p><u>Per AM</u></p> <p>1. Whether , when it is agreed that there has to be synchronicity between what is claimed by the assessee and what is disallowed; disallowable portion of expenditure of ' capital nature claimed by the assessee should result in matching reduction of Capital Work in progress.</p> <p>2. Whether, when the assessee has not discharged the onus on proving, with supporting materials, that expenses claimed were actually incurred; some disallowance of the expenses is warranted.</p> <p>3. Whether, if the answer to (B) above is yes, the quantification of disallowance of expenses should be determined after stating specific instances which were not supported by relevant materials,</p> <p>4. Whether, when it is agreed that there has to be synchronicity between what is claimed by the assessee and what is disallowed; remand to Assessing Officer for proper quantification of disallowances and for synchronicity between what is claimed by the assessee and what is disallowed: in proper.</p>	
18	ITA 1559/Del/2023 A.Y.2018-19	Shri Manish Tuteja Haryana	1.Dr.BRR Kumar ,JM 2.Ms. Madhumita Roy,JM	<u>Annexure</u>	Fixed for hearing on 15.12.2025
	AGRA BENCH				
19	ITA 76/Agra/2014	M/s ACPL Products (P)Ltd, Noida.	1.Shri.Bhavnes Saini, J.M. 2.Shri. Pramod Kumar, A.M.	<p>1)Whether the Assessing Officer was correctly directed to allow set-off of carry forward losses and unabsorbed depreciation of earlier years during the year under appeal as claimed in the return, i.e., deduction u/s 10A be allowed before setting -off of carry forward losses and unabsorbed depreciation?</p> <p>2) Whether learned Accountant Member is legally justified in commenting on Presiding Officer of the Bench in Para 33 and 53 of the dissent order (on point No.1</p>	Fixed for hearing on 27.01.2026 at ITAT, Delhi.

				<p>of above reference) on the issue /matter, which is not admittedly raised by both the parties to the appeal including the Accountant Member himself has not raised any such issue/point during the hearing of appeal?</p> <p>3) Whether the assessee is entitled for exemption u/s 10A on interest on FDRs and in absence of complete details, the matter requires reconsideration at the level of the AO?</p> <p>4) Whether when during several rounds of discussion with the Id. Accountant Member on the proposed order of the Bench and by making a reference to judgment of Hon'ble Karnataka High Court dated 11.12.2013 in the case of CIT vs. M/s Motorola India Electronics Pvt. Ltd. (2-ITR-OL-Kar-499) deciding question No.3 above in favour of the assessee, whether the Id. Accountant Member was justified in rejecting the claim of assessee, ignoring said judgment directly on point in issue?</p> <p>5) Whether the assessee is entitled for deduction/exemption u/s 10A on job work charges and for want of complete details, matter requires re-consideration at the level of the AO?</p>	
20	ITA 227/Agr/2024 A.Y.2012-13	Shri Narendra Kumar	1.Shri Sunil Kumar Singh(JM) 2.Shri Manish Agarwal (AM)	“Whether, in the facts and circumstances of the case, the revision order passed by the PCIT under Section 263 is liable to be quashed, or is to be set aside and remanded back to the PCIT for passing fresh revision order.”	Fixed for hearing on 05.01.2026 at ITAT Delhi.
<u>Kolkata Zone</u>					
	<u>KOLKATA BENCH</u>				
21	ITA No. 487/Kol/2023 & C.O. No.11/Kol/2023 A.Y 2011-12	M/sTirupati Fincom Pvt.Ltd.	1.Shri Rajesh Kumar (AM) 2. <u>Shri SojoySarma(JM)</u>	Annexure	Adjourned to 15.12.2025.

22	ITA No.1746/KOL/2024	Shri Chandan Pradhan	1.Shri George Mathan(JM) 2.Shri Rakesh Mishra(AM)	i. "Who is the Competent Authority to grant adjournment on the Bench, whether it is Presiding Senior Member or the Bench as its entirety?" ii. "Can the D.R. argue the appeal before the second Member, when the presiding Senior Member has already granted the adjournment?" iii. " Can Ld. Counsel seek adjournment without filing his Authorization/Vakalatnama in an appeal	Fixed on 26.12.2025
23	ITA 238/KOL/2025	Shri Sourabh Kumar Roy	1.Shri George Mathan(JM) 2.Shri Rakesh Mishra(AM).	Annexure	Fixed on 18.12.2025
24	ITA 1290/KOL/2024	M/s. HLA Hotels City Inn Ltd.	1.Shri George Mathan(JM) 2.Shri Sanjay Awasthy(AM).	i).Whether in the facts and circumstances of the case, the order passed under section 263 by Id Pr.CIT, Kolkata-1 for assessment year 2016-17 is sustainable in view of the fact that the assessee is not substantial shareholder." ii) Whether on the facts and circumstances of the case, the order of PCIT Kolkata-1 is maintainable in light of Explanation 2(a) to Section 3621) of the ncome Tax Act, 1961, when the Ld.A.O. did not conduct any enquiry whatsoever on the issue of deemed dividend under section 2(22) (e) of the Income Tax Act, 1961, even when one person was a substantial shareholder in both concerns".c	Last Fixed on 27.11.2025 Not refixed
25	ITA 699/KOL/2024	M/s.Sattik Exports Pvt.Ltd.	1.Shri George Mathan(JM) 2.Shri Rakesh Mishra(AM)	i)Whether in the facts and circumstances of the case, the order dated 05.03.2024 passed u/s.263 of the Act by the Id.PCIT(Central), Kolkata-1, in DIN & order No.ITBA/COM/F/17/2023-24/1062056898(1) for the A.y. 2020-21, is sustainable?" ii) "Whether on the facts and circumstances of the case, it can be said that the	Fixed on 15.12.2025

				assessment order passed u/s.143(3) of the Act by the Assessing Officer involved no enquiry or was a case of lack of adequate enquiry, which could give room for the Id Pr,CIT (Central), Kolkata-1 to treat the same as erroneous and prejudicial to the interest of revenue as per the provisions u/s. 263 of the Act?"	
26	BMANos.01&02/Kol/2025 C.O.Nos 39 & 40/Kol/2025 BMANos14& 15/Kol/2025	Shri Suresh Kumar Banthia Shri Jitesh Kumar Banthia	1.Shri George Mathan ,JM 2.Shri Sanjay Awasthi, AM	Annexure	Fixed on 30/01/2026
27	ITA 191/KOL/2025	M/s. Sen Ferro Alloys Pvt.Ltd.	1.Shri George Mathan(JM) 2.Shri Rakesh Mishra(AM)	Annexure	Not yet fixed.
Lucknow Zone					
	LUCKNOW BENCHES				
28	ITA 442/LKW/2020	M/s. R.C.Jewellers Lucknow	1.Shri Vijay Pal Rao, JM 2.Shri RamitKochar, AM	Whether in the facts and circumstances of the case, the order of the CIT(A) is liable to set aside and the Order of the AO is to be restored or the matter is required to be remanded to the record of the AO for conducting necessary enquiry/verification and then to be decided afresh, after giving an appropriate opportunity of hearing to the assessee?	Adjourned to 07.01.2026
	ALLAHABAD BENCH				
29	MA No.9/Alld/2014 (In ITA No.62/Alld/2013)	M/s ARM Rice Mills Alld	1.Shri Vijay Pal Rao, JM 2.Shri RamitKochar,AM	Annexure	Fixed on 23.12.2025
30	ITA 362 to 364/Alld/2018, ITA 6,7 & 10/Alld/2019 & ITA 384/Alld/2018 (A.Y.2008-09to 2010-11, 2011-12 to 2013-14 & 2014-15)	Shri Dilip Kumar Pahuja Raipur	1.Shri Vijay Pal Rao, JM 2.Shri RamitKochar ,AM	Annexure	Fixed on 23.12.2025
31	ITA 59/Alld/2014,ITA 158/Alld/2013,ITA 60/Alld/2014,& ITA	Shri Surya Prakash Kesarwani	1.Shri Vijay Pal Rao, JM 2.Shri RamitKochar ,AM	Annexure	Heard on 06.11.2025

	314/Alld/2014				
32	ITA 341/Alld/2010 (A.Y.2006-07)	Allahabad High School Society	1. Aby.T. Varkey, JM 2.Shri Ramit Kochar, AM	Annexure	Heard on 18.11.2025
33	ITA 17/Alld/2023 (A.Y.2018-19)	Smt.Roopa Rai Jaiswal	1. Aby.T. Varkey, JM 2.Shri RamitKochar, AM	Annexure	Heard on 11.11.2025
34	ITA 08/Alld/2022 (A/W)	M/s. Kanodia Investment Pvt.Ltd.	1. Aby.T. Varkey, JM 2.Shri RamitKochar, AM	Annexure	Heard on 11.11.2025
	VARANASI CIRCUIT BENCH				
35	ITA 17/V/2018 & CO 4/V/19	Mohd..Faizi	1. Shri Vijay Pal Rao, JM 2.Shri Ramit Kochar, AM	Annexure	Fixed for hearing on 09.12.2025
	Mumbai Zone				
	MUMBAI BENCH				
36	ITA 5229/M/2004 & 5303/M/2004 A.Y. 1996-97	M/s. Standard Chartered Bank	1.Shri. R.S.Padvekar, J.M. 2.Shri. Rajendra Singh, A.M.	Whether on the facts and circumstances of the case, interest income of Rs 73,92,16,611/- (Rs39,23,71,781 + Rs.34,68,44,830) is assessable to tax in the year under consideration ?	Adjourned sine die.
37	ITA 2033/M/2025 A.Y. 2017-18	M/s. Ankit Gems Pvt.Ltd.	1.Shri Pawan Singh, JM 2.ShriOmkareshwar Chidara,AM	Annexure	Fixed on 12.12.2025 for fixing the date of hearing
	Pune Zone				
	Raipur Bench				
38	M.A. No.107/RPR/2023 (arising out of ITA No.10/RPR/2023)	Shri Ravi Sherwani	1.Shri Partha Sarathi Choudhary,JM 2.Shri Arun Khopdpia,AM	Annexure	Heard on 13.11.2025 Pending for disposal