

IN THE INCOME TAX APPELLATE TRIBUNAL "PATNA" BENCH, PATNA

**BEFORE SHRI DUVVURU RL REDDY, VP
AND
SHRI RAJESH KUMAR, AM**

**ITA No.395/PAT/2025
(Assessment Year:2016-17)**

Metta Buddha Trust
Sujata Bypass Road, Bodhgaya,
Gaya, Bihar-824231

Vs.

**Income Tax Officer, Exemption
Ward 1, Patna**
Lok Nayak Jayprakash Bhawan,
Dak Bangla Chowraha,
Patna-800001, Bihar

(Appellant)

(Respondent)

PAN No. AACTM3395C

Assessee by : None
Revenue by : Shri Ashwani Kr. Singal, DR

Date of hearing: 28.11.2025
Date of pronouncement: 07.01.2026

ORDER

Per Rajesh Kumar, AM:

This is an appeal preferred by the assessee against the order of the National Faceless Appeal Centre, Delhi (hereinafter referred to as the "Ld. CIT(A)") dated 06.06.2025 for the AY 2016-17.

2. The Id. Counsel for the assessee submitted that the order was passed ex-parte by the learned CIT (A). The Id. Counsel for the assessee therefore prayed that the issue may kindly be restored to the file of the Id. CIT (A), so that issue could be decided on merit afresh.

2.1. The Id. DR on the other hand did not oppose the counsel of the assessee.

2.2. We after hearing the submission of the parties and perusing the material available on record, we find that apparently this appeal was

decided ex-parte by the learned CIT (A). We note that despite numerous notices, none presented before the Id. CIT (A) and the Id. CIT (A) passed an ex-parte order in limine without deciding the issues at merit, which in our opinion is in violation of Provisions of Section 250(6) of the Act. Therefore, in the interest of justice and fair play, this appeal is restored to the file of the learned CIT (A) with a direction to decide the same on merit after affording reasonable opportunity of hearing to the assessee. It is further clarified that assessee should also not seek any adjournments unless otherwise required for valid and reasonable cause. The appeal of the assessee is allowed for statistical purposes.

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

Order pronounced in the open court on 07.01.2026.

Sd/-
(DUVVURU RL REDDY)
(VICE PRESIDENT)

Sd/-
(RAJESH KUMAR)
(ACCOUNTANT MEMBER)

Kolkata, Dated: 07.01.2026

Sudip Sarkar, Sr.PS

Copy of the Order forwarded to:

1. The Appellant
2. The Respondent
3. CIT
4. DR, ITAT,
5. Guard file.

BY ORDER,

True Copy//

Sr. Private Secretary/ Asst. Registrar
Income Tax Appellate Tribunal, Kolkata