

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DEHRADUN BENCH, DEHRADUN**  
**Before Sh. Satbeer Singh Godara, Judicial Member**  
**&**  
**Sh. Manish Agarwal, Accountant Member**

**ITA No. 165/DDN/2025 : Asstt. Year: 2015-16**

Uttaranchal Cooperative Sugar Factories Federation Ltd., Jogiwala, Near Railway Crossing, Badripur, Dehradun-248001	Vs	Joint Commissioner of Income Tax, Dehradun Uttarakhand-248001
(APPELLANT)		(RESPONDENT)
<b>PAN No. AABFU7713K</b>		

**Assessee by : Sh. Vimal Kishore, Adv.**  
**Revenue by : Sh. Amar Pal Singh, Sr. DR**

<b>Date of Hearing: 13.01.2026</b>	<b>Date of Pronouncement: 13.01.2026</b>
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**ORDER**

**Per Satbeer Singh Godara, Judicial Member:**

This assessee's appeal for Assessment Year 2015-16, arises against the CIT(A)/NFAC, Delhi's DIN & order No. ITBA/NFAC/S/250/2025-26/10769767588(1) dated 12.06.2025, in proceedings u/s 271(1)(c) of the Income Tax Act, 1961.

2. Heard both the parties at length. Case file perused.
3. We notice during the course of hearing that both the learned lower authorities respective findings have held the assessee to have concealed or furnished inaccurate particulars of income thereby levying the impugned penalty amounting to Rs.7,67,126/- in the Assessing Officer's order dated 26.04.2019 as upheld in the lower appellate discussion.

4. Both the learned representatives reiterate their respective stands against and in support of the impugned penalty. Learned departmental representative more particularly submits that the corresponding quantum disallowance herein is that of denial of the assessee's mutuality claim amounting to Rs.25,34,218/- in assessment order dated 30.10.2018.

5. That being the case, we are of the considered view that such a denial of mutuality claim simpliciter which could neither be held as concealment or that of furnishing of inaccurate particulars of income being in nature of a bonafide claim thereby not attracting penalty either of these two limbs going by CIT vs. Reliance Petroproducts (P) Ltd. (2010) 322 ITR 158 (SC). We thus delete the impugned penalty in very terms.

6. This assessee's appeal is allowed in above terms.

Order Pronounced in the Open Court on 13/01/2026.

Sd/-

**(Manish Agarwal)**  
**Accountant Member**  
**Dated: 13/01/2026**

\*Subodh Kumar, Sr. PS\*

Copy forwarded to:

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

Sd/-

**(Satbeer Singh Godara)**  
**Judicial Member**

**ASSISTANT REGISTRAR**