

**IN THE INCOME TAX APPELLATE TRIBUNAL
SURAT "SMC" BENCH, SURAT
BEFORE DR. B.R.R. KUMAR, VICE-PRESIDENT
AND MS. SUCHITRA KAMBLE, JUDICIAL MEMBER**

I.T.A. No. 898/SRT/2024
(Assessment Year: 2005-06)

Adil Noshirvan Shethna 12/1134, Vanki Bordi, Shahpore, Surat PAN : ABLPS0201R	Vs.	The ITO, Ward-2(3)(6), Surat
(Appellant)	..	(Respondent)
Appellant by :	Shri Suresh K. Kabra, CA	
Respondent by:	Shri Ashish Kumar, Sr. D.R.	
Date of Hearing	19.01.2026	
Date of Pronouncement	23.01.2026	

ORDER

PER SUCHITRA KAMBLE, JUDICIAL MEMBER:-

This is an appeal filed against the order dated 03-09-2015 passed by CIT(A), Surat for assessment year 2005-06.

2. The assessee sold the property in which his share was $\frac{1}{4}$ amounts to Rs. 22,79,776/-. The stamp valuation authority valued the property at Rs.68,38,000/-. The A.O. while computing the long term capital gain held that the indexed cost for the year was 1996-97 in place of year 85-86 which is a correct year of indexation. Consequently, the A.O. made addition of Rs. 2,16,465/-. The ld. A.R. submitted that the CIT(A) is not right in confirming the year of cost of acquisition 1996-97 as against claim of assessee i.e. 1985-86. The ld. A.R. submitted that the assessee has given the details related to the calculation taking the

- 2-

cost of inflation index for the year in which the assessee first time held a property. The assessee received the said property after death of the earlier owner of the land as one of the heirs through will and therefore we hold that the assessee has rightly indexed cost of indexation from the year 1985-86.

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

The order is pronounced in the open Court on 23.01.2026

**Sd/-
(DR. B.R.R. KUMAR)
VICE-PRESIDENT**

**Sd/-
(SUCHITRA KAMBLE)
JUDICIAL MEMBER**

Surat; Dated 23/01/2026

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आदेश की प्रतिलिपि अग्रेषित/**Copy of the Order forwarded to :**

1. अपीलार्थी / **The Appellant**
2. प्रत्यर्थी / **The Respondent.**
3. संबंधित आयकर आयुक्त / **Concerned CIT**
4. आयकर आयुक्त (अपील)/ **The CIT(A)-**
5. विभागीय प्रतिनिधि,अधिकरण अपीलीय आयकर ,/DR,ITAT, Surat,
6. गार्ड फाईल / **Guard file.**

आदेशानुसार/ **BY ORDER,**

सहायक पंजीकार (**Asstt. Registrar**)
आयकर अपीलीय अधिकरण
ITAT, Surat