

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
DELHI BENCH: 'E' NEW DELHI**

**BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER  
AND  
SHRI AMITABH SHUKLA, ACCOUNTANT MEMBER**

ITA No.5351/Del/2025  
Assessment Year: 2020-21

Sh. Dilip Chadha, 9327, 2 <sup>nd</sup> Floor, Street No. 7, Multani Dhanda, New Delhi	<b>Vs.</b>	DCIT, Circle-32, New Delhi
<b>PAN: AGYPC9846Q</b>		
<b>(Appellant)</b>		<b>(Respondent)</b>

Assessee by	Sh. Sumit Lalchandani, Adv. Ms. Sejal Arora, Adv. Sh. Shivam Yadav, Adv.
Department by	Ms. Amish S. Gupt, CIT(DR)

Date of hearing	21.01.2026
Date of pronouncement	21.01.2026

**ORDER**

**PER SATBEER SINGH GODARA, JM**

This assessee's appeal for assessment year 2020-21, arises against the Commissioner of Income Tax (Appeals)-25 [in short, the "CIT(A)"], Delhi's DIN and order no. ITBA/APL/M/250/2025-26/1079517972(1), dated 12.08.2025 involving proceedings under section 153C of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

Heard both the parties. Case file perused.

2. We notice at the outset that there arises the first and foremost issue on legality of the impugned section 153C assessment framed by the learned Assessing Officer on 31<sup>st</sup> March, 2024 in the assessee's case.

A few relevant facts may be noticed.

3. There is no dispute between the parties that the learned departmental authorities had carried out the search in question on 18.10.2019 in M/s. Alankit group of cases. The learned Assessing Officer of the said searched party thereafter recorded his section 153C satisfaction on 15.06.2022 (page 61) in the paper-book that the corresponding valuable assets found/seized during the course of search in fact belonged to the assessee i.e. a third person. He forwarded the relevant case records to the jurisdictional Assessing Officer who recorded his latter satisfaction under section 153C on 22.08.2022 without even making explicitly clear that the aforesaid seized materials or valuables or assets had a bearing in the assessee's case (page 62 to 63 in the paper-book).

3. Faced with this situation, learned CIT(DR) vehemently argues that we need not adopt such a hyper technical approach once the

Assessing Officer's aforesaid satisfaction had been duly recorded in tune with the procedure prescribed in the statute itself.

4. All these Revenue's arguments fail to impress upon us. We make it clear at the cost of repetition that the assessee's Assessing Officer had nowhere recorded a satisfaction that the valuables/assets in question found/seized during the course of search had any "bearing" on determination of the assessee's total income. Case law Saksham Commodities Ltd. Vs. ITO (2024) 464 ITR 1 (Delhi)(HC) has already settled the very issue in the assessee's favour and against the department to the very effect. We thus quash the impugned assessment framed in assessee's case in very terms.

All other pleadings/arguments between the parties stand rendered academic.

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

***Order pronounced in the open court on 21<sup>st</sup> January, 2026***

***Sd/-***  
**(AMITABH SHUKLA)**  
**ACCOUNTANT MEMBER**

***Sd/-***  
**(SATBEER SINGH GODARA)**  
**JUDICIAL MEMBER**

Dated: 22<sup>nd</sup> January, 2026.

RK/-

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)

5. DR

Asst. Registrar, ITAT, New Delhi