

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: "SMC" NEW DELHI**

BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER

**ITA No.8915/Del/2025
Assessment Year: 2017-18**

Kifaytulla, Village Seegar Post Office, Punahana, Mewat, Haryana-122508	Vs.	The Income Tax Officer, Ward-2(2), Grugaon, Haryana-122001
PAN: CFRPK6006E		
(Appellant)		(Respondent)

Assessee by	Shri Jitender Wadhwa, CA (through VC)
Department by	Sh. Manoj Kumar, Sr. DR

Date of hearing	28.01.2026
Date of pronouncement	28.01.2026

ORDER

This assessee's appeal for assessment year 2017-18, arises against the Commissioner of Income Tax (Appeals)/National Faceless Appeal Centre [in short, the "CIT(A)/NFAC"], Delhi's DIN & Order No :ITBA/NFAC/S/250/2025-26/1081429582(1), dated 03.10.2025 involving proceedings under section 144 of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

Heard both the parties. Case file perused.

2. It emerges at the outset during the course of hearing that the learned CIT(A)/NFAC's detailed discussion has proceeded *ex-*

parte against the assessee thereby affirming the Assessing Officer's action making the corresponding disallowances/additions herein. Nor do I find any substantive lower appellate adjudication as contemplated u/s 250(6) of the Act requiring the CIT(A)/NFAC to first frame points of determination followed by a detailed discussion thereupon.

3. Mr. Manoj Kumar vehemently argues during the course of hearing in support of CIT(A)'s finding that the assessee had not filed any explanation or evidence supporting its case and therefore, his instant appeal deserves to be dismissed.

4. I have given my thoughtful consideration to the foregoing discussion that since the CIT(A) has proceeded *ex-parte* against the assessee, possibility of some communication gaps between the taxpayer and the arguing counsel involving the newly introduced system of faceless hearings, could not be altogether ruled out.

5. Faced with this situation, in the larger interest of justice, I deem it appropriate to restore the assessee's instant appeal back to the CIT(A)/NFAC for its afresh appropriate adjudication, within three effective opportunities subject to a rider that the taxpayer

shall plead and prove the case at his own risk and responsibility, in consequential proceedings. Ordered accordingly.

6. The assessee's appeal is allowed for statistical purposes only.

Order pronounced in the open court on 28th January, 2026.

Sd/-
(SATBEER SINGH GODARA)
JUDICIAL MEMBER

Dated: 28th January, 2026.

Shekhar

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi