

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCH "A", PUNE

BEFORE SHRI MANISH BORAD, ACCOUNTANT MEMBER
AND
SHRI VINAY BHAMORE, JUDICIAL MEMBER

आयकर अपील सं. / ITA No.2331/PUN/2025
निर्धारण वर्ष / Assessment Year : 2020-21

Latthe Education Society Employees Co-Operative Credit Soc. Ltd., Gajanan Complex, G. A. College of Commerce, Sangli- 416416. PAN : AAAAL0118K	Vs.	Assessment Unit, Income Tax Department.
Appellant		Respondent

Assessee by : None
Revenue by : Shri R. Y. Balawade

Date of hearing : 28.01.2026
Date of pronouncement : 30.01.2026

आदेश / ORDER

PER VINAY BHAMORE, JM:

This appeal filed by the assessee is directed against the order dated 16.09.2025 passed by Ld. CIT(A)/NFAC for the assessment year 2020-21.

2. The appellant has raised the following grounds of appeal :-

"1. On the facts and circumstances of the case and in law the CIT(A), NFAC erred in confirming the action of the AO of denying deduction under section 80P in respect interest earned by the appellant society on deposits with other co-operative banks, not accepting the submission of the appellant in this respect.

The appellant prays that the AO be directed to delete the addition.

The appellant craves leave to add, amend, alter, modify, delete or add a new ground of appeal before or at the time of hearing.”

3. Facts of the case, in brief, are that the assessee is a credit co-operative society duly registered under Maharashtra State Co-operative Societies Act and has furnished return of income on 19.10.2020 declaring total income of Rs.Nil after claiming deduction of Rs.1,08,52,015/- u/s 80P(2)(a)(i) of the IT Act. The case was selected under scrutiny through CASS. Statutory notices were issued to the assessee in response to which compliance was made by the assessee. The Assessing Officer completed the assessment proceedings u/s 143(3) of the IT Act and vide order dated 05.09.2022 determined income at Rs.1,08,52,015/- as against the income returned by the assessee at Rs.Nil. The above assessed income includes additions on account of disallowance of deduction u/s 80P(2)(a)(i) of the IT Act.

4. Being aggrieved with the above assessment order, the assessee preferred an appeal before Ld. CIT(A)/NFAC. Since the appeal was furnished belatedly i.e. with a delay of 14 days, Ld. CIT(A)/NFAC dismissed the appeal without condoning the delay.

5. It is the above order against which the assessee is in appeal before the Tribunal.

6. When the appeal was called for hearing, neither anybody appeared from the side of the assessee nor any application for adjournment was filed by the assessee. Accordingly, we proceed to decide the appeal on the basis of material available on record and after hearing Ld. DR.

7. We have heard Ld. DR and perused the material available on record. In this regard, we find that Ld. CIT(A)/NFAC has rejected the application for condonation of delay and dismissed the appeal *in limine* solely on the ground of 14 days delay. We further find that it was contended before Ld. CIT(A)/NFAC that the assessment order was received in the month of September and the Chartered Accountant was busy in tax audit reports since 30th September was the last date and due to this reason alone he could not file the appeal within the prescribed time limit and a delay of 14 days occurred. The reason of delay advanced before Ld. CIT(A)/NFAC appears to be genuine and therefore we are of the considered opinion that the assessee was prevented by sufficient and reasonable cause in not filing the appeal within the prescribed time limit.

8. Considering the totality of the facts of the case and in the interest of justice, without going into merits of the case, we deem it fit to set-aside the order passed by Ld. CIT(A)/NFAC and remand the matter back to the file of Ld. CIT(A)/NFAC with a direction to

condone the delay of 14 days and decide the appeal on merits of the case and as per fact and law after providing reasonable opportunity of hearing to the assessee. The assessee is also hereby directed to respond to the notices issued by Ld. CIT(A)/NFAC in this regard and to produce relevant submissions, documents and evidences in support of grounds of appeal without taking any adjournment under any pretext, otherwise Ld. CIT(A)/NFAC shall be at liberty to pass appropriate orders as per law. Thus, the grounds of appeal raised by the assessee are allowed for statistical purposes.

9. In the result, the appeal filed by the assessee is allowed for statistical purposes.

Order pronounced on this 30th day of January, 2026.

Sd/-
(MANISH BORAD)
ACCOUNTANT MEMBER

Sd/-
(VINAY BHAMORE)
JUDICIAL MEMBER

पुणे / Pune; दिनांक / Dated : 30th January, 2026.

Sujeet

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

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The Pr.CIT concerned.
4. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, "A" बेंच, पुणे / DR, ITAT, "A" Bench, Pune.
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

Assistant Registrar
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune.