

IN THE INCOME TAX APPELLATE TRIBUNAL
“DB” BENCH, AMRITSAR

VIRTUAL HEARING

BEFORE HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM
AND
SHRI UDAYAN DASGUPTA, JM

आयकरअपीलसं. / ITA No.430/ASR/2025
(निर्धारणवर्ष / Assessment Year: 2014-15)

M/s R N Buildtech Private Limited 276-A, Bakshi Nagar J & K - 180001	बनाम/ Vs.	Ward 1(1) Jammu J&K - 180001
स्थायीलेखासं./जीआइआरसं./PAN/GIR No. AADCR-9602-F		
(अपीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थीकीओरसे/ Appellant by	:	Adjournment Application
प्रत्यर्थीकीओरसे/ Respondent by	:	Sh. Charan Dass (Addl. CIT) – Ld. Sr. DR

सुनवाईकीतारीख/ Date of Hearing	:	03-02-2026
घोषणाकीतारीख / Date of Pronouncement	:	04-02-2026

आदेश / O R D E R

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year (AY) 2014-15 arises out of an order of learned Commissioner of Income Tax (Appeals), NFAC dated 16-01-2025 in the matter of an assessment framed by Ld. AO on *best judgment basis* u/s 147 r.w.s. 144 of the Act on 29-03-2022. At the time of hearing, Ld. Counsel for assessee sought adjournment which was rejected considering the fact that the

first appeal has been dismissed for want of documentary evidences from the assessee. The Ld. Sr. DR pleaded for dismissal of the appeal. The registry has noted delay of 46 days in the appeal which stand condoned.

2. In the assessment order, Ld. AO made addition of Rs.31.50 Lacs on *best judgment basis*. The same represent purchase of a Motor Vehicle BMW Model No.BMW320D by the assessee. The Ld. AO alleged that the said investment was not reflected in the financial statements and the investment was out of undisclosed sources. During first appeal, the assessee contested the finding of Ld. AO and stated that that it had obtained loan of Rs.30 Lacs from BMW India Financial Services Pvt. Ltd. and these transactions were duly reflected in the books. However, Ld. CIT(A) did not accept the said claim for want of documentary evidences like loan sanction letter, purchase bill of the car etc. Aggrieved, the assessee is in further appeal before us.

3. From the findings of Ld. CIT(A) in para 5.5, it could be seen that the assessee has shown addition in fixed assets towards car and also claimed depreciation. However, the claim has been rejected primarily for want of relevant of documentary evidences from the assessee. To meet the same, we restore this issue back to the file of Ld. CIT(A) for fresh consideration with a direction to the assessee to plead and prove its case forthwith.

4. The appeal stands allowed for statistical purposes.

Order pronounced on 04th February, 2026.

-Sd-
(UDAYAN DAS GUPTA)
JUDICIAL MEMBER

-Sd-
(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER

Dated: 04-02-2026

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

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकरआयुक्त/CIT
4. विभागीयप्रतिनिधि/DR
5. गार्डफाईल/GF

ASSISTANT REGISTRAR

ITAT AMRITSAR