

**IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCH "B", PUNE**

**BEFORE SHRI R. K. PANDA, VICE PRESIDENT
AND
Ms. ASTHA CHANDRA, JUDICIAL MEMBER**

**SA No.2/PUN/2026
Arising out of ITA No.103/PUN/2026
Assessment year : 2019-20**

| | | |
|--|------------|----------------------|
| Tanishka Nagari Sahakari Patsanstha Maryadit Shop No.2, Profit Plaza, Limba Phata, Talegaon Dabhade, Tal. Maval, Dist. Pune – 410506 | Vs. | ITO, Ward-9(3), Pune |
| PAN:AAFAT0878B | | |
| (Applicant) | | (Respondent) |

Assessee by : Shri Mahavir Jain
Department by : Shri Pramod Shahakar, JCIT
Date of hearing : 13-02-2026
Date of pronouncement : 13-02-2026

ORDER

PER R. K. PANDA, VP :

The assessee through this Stay Application requests the Tribunal to stay on the realization of the outstanding demand of Rs.5,04,03,648/-.

2. The Ld. Counsel for the assessee while explaining the Stay Application submitted that the assessee is a cooperative society and has not filed its return of income. The Assessing Officer reopened the assessment on account of cash deposits made by the assessee in the bank account and completed the assessment determining the total income of the assessee at Rs.2,96,10,121/- which has been

upheld by the Ld. CIT(A) / NFAC in his *ex-parte* order. He submitted that the bank accounts of the assessee have been attached by the Income Tax Department. He submitted that the financial condition of the assessee is very bad and therefore full stay for realization of the outstanding demand should be granted to the assessee. He also requested for an out of turn hearing of the appeal.

3. The Ld. DR on the other hand opposed the Stay Application and submitted that the assessee should be directed to pay atleast 20% of the total outstanding demand.

4. We have heard the rival arguments made by both the sides and perused the record. In absence of submission of financial details by the assessee, we are unable to know the financial condition and therefore it is not a fit case for grant of absolute stay. Accordingly, the Stay Application filed by the assessee is rejected. However, the request of the Ld. Counsel for the assessee for an out of turn hearing is accepted and the appeal is fixed for hearing on 18.02.2026 which was announced in the open Court. It was also announced that no separate notice of hearing shall be sent and this order itself shall be deemed to be the service of notice to both the sides to which both the parties agreed.

5. In the result, the Stay Application filed by the assessee is dismissed in the above terms.

Order pronounced in the open Court at the conclusion of hearing itself i.e. on
13th February, 2026.

Sd/-

(ASTHA CHANDRA)
JUDICIAL MEMBER

पुणे Pune; दिनांक Dated : 13th February, 2026
GCVSR

Sd/-

(R. K. PANDA)
VICE PRESIDENT

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

1. अपीलार्थी / The Appellant;
2. प्रत्यर्थी / The Respondent
3. The concerned Pr.CIT, Pune
4. DR, ITAT, 'B' Bench, Pune
5. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

// True Copy //

Assistant Registrar
आयकर अपीलीय अधिकरण ,पुणे
/ ITAT, Pune

| S.No. | Details | Date | Initials | Designation |
|-------|--|------------|----------|-------------|
| 1 | Draft dictated on | 13.02.2026 | | Sr. PS/PS |
| 2 | Draft placed before author | 13.02.2026 | | Sr. PS/PS |
| 3 | Draft proposed & placed before the Second Member | | | JM/AM |
| 4 | Draft discussed/approved by Second Member | | | AM/AM |
| 5 | Approved Draft comes to the Sr. PS/PS | | | Sr. PS/PS |
| 6 | Kept for pronouncement on | | | Sr. PS/PS |
| 7 | Date of uploading of Order | | | Sr. PS/PS |
| 8 | File sent to Bench Clerk | | | Sr. PS/PS |
| 9 | Date on which the file goes to the Office Superintendent | | | |
| 10 | Date on which file goes to the A.R. | | | |
| 11 | Date of Dispatch of order | | | |