

**IN THE INCOME TAX APPELLATE TRIBUNAL  
“C” BENCH: BANGALORE**

**BEFORE SHRI WASEEM AHMED, ACCOUNTANT MEMBER  
AND  
SHRI KESHAV DUBEY, JUDICIAL MEMBER**

SA No.11/Bang/2026 (Arising out of IT(TP)A No.320/Bang/2026) Assessment Year: 2022-23
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Instabase India Private Limited Building-31, 5 <sup>th</sup> Floor, RMZ Ecorworld Adarsh Palm Retreat Road Bellandur Bengaluru 560 103 Karnataka  <b>PAN NO : AABCH4923P</b>	<b>Vs.</b>	DCIT/ACIT Circle 3(1)(1) Bengaluru
<b>APPELLANT</b>		<b>RESPONDENT</b>

<b>Appellant by</b>	:	Ms. Anju Eldhose, A.R.
<b>Respondent by</b>	:	Sri N. Balusamy, D.R.

<b>Date of Hearing</b>	:	13.02.2026
<b>Date of Pronouncement</b>	:	13.02.2026

**O R D E R**

**PER KESHAV DUBEY, JUDICIAL MEMBER:**

This stay petition u/s 253(7) of the Income Tax Act, 1961 (in short “The Act”) filed by the assessee seeking stay of disputed demand amounting to Rs.67,84,580/- as raised for the assessment year 2022-23.

**2.** Before us, the ld. A.R. of the assessee vehemently submitted that prima facie, the assessee has a good case and the balance of convenience are in favour of the assessee and accordingly she requested that this Tribunal may grant full stay of disputed demand and the appeal may be fixed for hearing expeditiously.

**3.** The ld. D.R. on the other hand, vehemently submitted that the stay may be granted subject to the condition that the assessee has paid 20% of the outstanding demand as per the provisions contained in the Act.

**4.** We have heard the rival submissions and perused the materials available on record. A perusal of the provision of section 254(1) of the Act exhibits that the Appellate Tribunal may, after giving both the parties to the appeal an opportunity of being heard, pass such orders thereon as it thinks fit. After analysing the facts and considering the submissions made by the ld. A.R. and ld. D.R. as well as the material placed on record, we are of the considered opinion that as per section 254(2A) of the Act, the Tribunal may after considering the merit of the application made by the assessee, pass an order of stay in any proceedings relating to an appeal filed u/s 253(1) of the Act for a period not exceeding 180 days from the date of such order subject to the condition that the assessee deposits not less than 20% of the amount of tax, interest, fee, penalty or any other sum payable under the provisions of this Act or furnishes security of equal amount in respect thereof and the Appellate Tribunal shall dispose of the appeal, which the said period of stay specified in that order. Undisputedly, the demand for the A.Y. 2022-23 is amounting to Rs.67,84,580/-.

**4.1** We are of the considered opinion that as per the provisions contained in section 254(2A) of the Act, the Tribunal can grant stay only subject to the condition that the assessee deposit not less than 20% of the disputed demand. This is not a case where the ld. A.R. of the assessee demonstrate that there exists certain decision in favour of the assessee by the jurisdictional High Court/other High Courts. This being so, we are inclined to grant stay of undisputed demand for the AY 2022-23 for a period of 180 days from the date of this order

or till the disposal of the appeal, whichever is earlier subject to the condition that the assessee deposits 20% of the outstanding demand i.e. amounting to Rs.13,57,000/- within 15 days from the date of this order and produce the copy of the same before the AO. It is ordered accordingly.

**5.** In the result, the Stay application filed by the assessee is partly allowed.

Order pronounced in the open court on 13<sup>th</sup> Feb, 2026

**Sd/-**  
**(Waseem Ahmed)**  
**Accountant Member**

**Sd/-**  
**(Keshav Dubey)**  
**Judicial Member**

Bangalore,  
Dated 13<sup>th</sup> Feb, 2026.  
VG/SPS

Copy to:

1. The Applicant
2. The Respondent
3. The CIT
4. The DR, ITAT, Bangalore.
5. Guard file

By order

**Asst. Registrar,**  
**ITAT, Bangalore.**