

आयकर अपीलीय अधिकरण, 'सी' न्यायपीठ, चेन्नई।  
IN THE INCOME TAX APPELLATE TRIBUNAL  
'C' BENCH: CHENNAI

श्री एबी टी. वर्की, न्यायिक सदस्य एवं सुश्री पदमावती यस, लेखा सदस्य के समक्ष  
BEFORE SHRI ABY T. VARKEY, JUDICIAL MEMBER AND  
MS. PADMAVATHY.S, ACCOUNTANT MEMBER

आयकर अपील सं./ITA No.236/Chny/2026  
निर्धारण वर्ष /Assessment Year: 2018-19

&

S.A. No. 09/CHNY/2026  
[In ITA No.236/CHNY/2026]

M/s. King Mobiles,  
No.34-B, Vijaya Complex,  
GPH Road,  
Vellore – 632 001.  
PAN: AAJFK 0723B

The Income Tax Officer,  
Vs. Ward-1,  
Vellore.

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/ Appellant by : Mr. Ravi Kannan, Advocate  
प्रत्यर्थी की ओर से /Respondent by : Ms. R. Anitha, Addl. CIT

सुनवाई की तारीख/Date of Hearing : 11.02.2026  
घोषणा की तारीख /Date of Pronouncement : 16.02.2026

आदेश / **ORDER**

**PER PADMAVATHY.S, A.M:**

This appeal and the stay application by the assessee are against the order of the Commissioner of Income Tax (Appeals)/National Faceless Appeal Centre (NFAC), Delhi, (in short "CIT(A)") passed u/s. 250 of the Income Tax Act, 1961 (in short "the Act") dated 05.01.2026 for Assessment Year (AY) 2018-19.

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2. The assessee is a firm engaged in the business of selling mobile phones. The assessee filed a return of income for A.Y 2018-19 on 25.01.2019 declaring total income of Rs. 16,37,520/-. The A.O reopened the assessment of the assessee for the reason that the assessee is involved in the transaction of bogus purchases with an intention to increase the expenditure and reduce the taxable income of the assessee. The A.O during the course of reassessment proceedings issued notices u/s. 133(6) of the Act to 29 suppliers from whom the assessee has made purchases. Since the A.O received confirmation from only 14 out of the 29 parties, the A.O considered the balance purchases to the tune of Rs. 20,87,85,137/- as addition u/s. 69C of the Act. Aggrieved, the assessee filed further appeal before the CIT(A).

3. The CIT(A) dismissed the appeal ex-parte for the reason that the assessee did not respond to the notices nor did the assessee filed any submissions. The assessee is in appeal before the Tribunal against the order of the CIT(A).

4. We have heard the parties, and perused the material available on record. The Ld. Authorized Representative (AR) of the assessee submitted that all the purchases made by the assessee are genuine and that the A.O treated the purchases as bogus merely for the reason that certain parties did not respond the notices u/s. 133(6) of the Act. The Ld. AR further submitted that though the CIT(A) has stated that the assessee has made submissions (refer para 4 of page 5 of CIT(A) order) but has dismissed the appeal ex-parte without considering the submissions. The Ld. AR accordingly prayed that one more opportunity may be given. Considering the facts and circumstances unique to the assessee's case, we are of the considered view that the assessee

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may be given one more opportunity to represent the case properly before the lower authorities. Accordingly we remit the appeal back to the AO with a direction to call for the necessary documents with regard to the impugned additions and decide the issue in accordance with law. The assessee is directed to file the required evidences as may be called for and cooperate with the assessment proceedings. It is ordered accordingly.

5. Since we have remitted the appeal back to the AO for considering the impugned additions afresh, the stay petition filed by the assessee has become infructuous and dismissed accordingly.

6. In the result, the appeal of the assessee is allowed for statistical purposes and the stay is dismissed as infructuous.

*Order pronounced on 16<sup>th</sup> day of February, 2026 at Chennai.*

*Sd/-*  
(एबी टी. वर्की)  
(ABY. T. Varkey)

न्यायिक सदस्य / Judicial Member

*Sd/-*  
(पदमावती यस)  
(Padmavathy.S)

लेखा सदस्य /Accountant Member

चेन्नई/Chennai, दिनांक/Dated: 16<sup>th</sup> February, 2026.

EDN, Sr. P.S

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकर आयुक्त/CIT, Chennai/Madurai/Coimbatore/Salem
4. विभागीय प्रतिनिधि/DR
5. गार्ड फाईल/GF