

**IN THE INCOME TAX APPELLATE TRIBUNAL
'A' BENCH, BANGALORE**

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

ITA No. 2160/Bang/2025
Assessment Year: 2018-19

DRN Infra IVRCL JV, Nayak House 110, Third Floor, Dollars Colony Gokul Road, Hubli – 580 030. PAN – AACAD 8406 G	Vs.	The Income Tax Officer, Ward – 2(1), Bengaluru.
APPELLANT		RESPONDENT

Assessee by	:	Shri Hemasundar Rao P, CA
Revenue by	:	Shri Balusamy N, JCIT (DR)

Date of hearing	:	04.02.2026
Date of Pronouncement	:	24.02.2026

ORDER

PER WASEEM AHMED, ACCOUNTANT MEMBER:

The present appeal has been instituted by the assessee against the order of the Ld. CIT(A) passes u/s 250 of the Act dt. 30.06.2025 for the AY 2018-19.

2. At the outset, we note that there is a delay of 30 days in filing the present appeal before the Tribunal. Considering that the delay is marginal in nature and no mala fides or deliberate latches can be attributed to the assessee. Moreover, the Id. DR considering the length of the delay in filing the appeal by the assessee raised no objection, if the same is condoned. Keeping in view the settled principles that

substantial justice should prevail over technical considerations, we condone the delay of 30 days and admit the appeal for adjudication.

3. On merits, we observe that during the appellate proceedings, the assessee had filed a detailed written submission along with reconciliation statements before the Ld. CIT(A) vide letter dated 30.06.2025. The said submissions and reconciliation are placed at pages 28 to 43 and 60 of the paper books. The assessee had specifically explained the difference of ₹71,00,000 between the receipts as reflected in Form 26AS and the payments made to the JV constituent and had furnished documentary evidence in support of its contention that no income had accrued to it.

3.1 However, from a perusal of the impugned order, it appears that the Ld. CIT(A) has not dealt with or adjudicated upon the detailed reconciliation and evidence placed on record. The order has been passed without adequately appreciating the factual submissions and supporting documents filed by the assessee and, in our considered view, the same appears to have been passed in haste.

3.2 In the interest of justice and fair play, we deem it appropriate to set aside the impugned order of the Ld. CIT(A) on the issues raised in the grounds of appeal and restore the matter to the file of the Assessing Officer for fresh adjudication. The AO shall examine the reconciliation statement and other evidence placed at pages 28 to 43 and 60 of the paper books, along with any further material that the assessee may file and shall decide the issue afresh in accordance with law after affording reasonable opportunity of being heard to the assessee. The assessee is directed to extend full cooperation and furnish requisite details as may be called for by the AO.

4. In the result, the appeal of the assessee is allowed for statistical purposes.

Order pronounced in court on 24th day of February, 2026

Sd/-

(KESHAV DUBEY)
Judicial Member

Sd/-

(WASEEM AHMED)
Accountant Member

Bangalore
Dated, 24th February, 2026

/ vms /

Copy to:

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

By order

Asst. Registrar, ITAT, Bangalore