

**IN THE INCOME TAX APPELLATE TRIBUNAL
"NAGPUR" BENCH, NAGPUR
BEFORE SHRI PAWAN SINGH, JUDICIAL MEMBER &
SHRI KHETTRA MOHAN ROY, ACCOUNTANT MEMBER
ITA No. 433/NAG/2025 (AY: 2014-15)
(Physical hearing)**

DCIT, CC-1(1), 2 nd Floor, Room No. 205, Aayakar Bhawan, Telanghedi Road, Civil Lines, Nagpur, Maharashtra – 440001	Vs	Shri Ashish Natha Chakkarwar, Moti Nagar, Tilak Ward, Pusad, Maharashtra – 445204. [PAN: AEGPC2887R]
Appellant / Revenue		Respondent / Assessee

Assessee by	Shri P. M. Gandhi, CA
Revenue by	Shri Pankaj Kumar, CIT-DR
Date of hearing	27.02.2026
Date of pronouncement	27.02.2026

Order under section 254(1) of Income Tax Act

PER PAWAN SINGH, JUDICIAL MEMBER:

1. This appeal by the revenue is directed against the order of learned Commissioner of Income Tax (Appeals)-3, Nagpur (in short, the Id. CIT(A)) dated 09/05/2025 for the Assessment Year (AY) 2014-15 passed under section 147 r.w.s. 144 of the Income Tax Act, 1961 (the Act). The revenue has raised the following grounds of appeal:

“1. Whether on the facts and in the circumstances of the case and in law, the Ld. CIT(A) is correct in deleting the addition of Rs. 1,05,00,000/- on account of unexplained cash credit u/s 68 of the Income Tax Act, 1961 made in the Assessment order without appreciating the facts as brought on record.

2. Whether on the facts and in the circumstances of the case and in law, the Ld. CIT(A) is correct in deleting the addition of Rs. 1,05,00,000/- made by the AO u/s 68 of the Income Tax Act, 1961 ignoring the fact that assessee has failed to submit the details of sale book and purchase book for last three years prior to the relevant previous year

3. Whether on the facts and in the circumstances of the case and in law, the Ld. CIT(A) is correct in deleting the addition of Rs. 1,05,00,000/- made by the AO u/s 68 of the Income Tax Act, 1961 ignoring the fact that assessee had not submitted complete sales bills and purchase bills for the relevant financial year.

4. Whether on the facts and in the circumstances of the case and in law, the Ld. CIT(A) is correct in relying on evidence produced during appellate proceedings without allowing an opportunity to the Assessing Officer for examining the same as required under Rule 46A of the Income Tax Rules, 1962.”

2. At the outset, the Id. AR of the assessee submitted that the tax effect involved in the present appeal is only of ₹. 36,43,229/- which is less than the threshold limit of ₹. 60,00,000/- for filing appeal before the Tribunal.

3. On the contrary, the Id. CIT-DR submitted that he may be allowed to verify such tax effect mentioned in Form 36 is different.

4. We have considered the rival submission and find that the Id. AO himself has calculated the tax payable by the assessee. Considering the fact that tax effect in the present appeal is less than ₹. 60,00,000/-, therefore the appeal of revenue is dismissed as not maintainable however, the revenue is given liberty to file

appropriate application for recall of the order if at later stage, if it is discovered that tax effect is more than the threshold limit of ₹. 60,00,000/- or the case is covered by any exceptional clause of Circulars of CBDT.

5. In the result, appeal of assessee is dismissed.

Order announced in open court on 27th February 2026 at the time of hearing.

Sd/-

KHETTRA MOHAN ROY
ACCOUNTANT MEMBER

Nagpur: Dated: 27/02/2026
SK, Sr. PS

Sd/-

PAWAN SINGH
JUDICIAL MEMBER

Copy of the order forwarded to:

- (1) The Assessee;
- (2) The Revenue;
- (3) The PCIT / CIT (Judicial);
- (4) The DR, ITAT, Nagpur; and
- (5) Guard file.

By order

Assistant Registrar
ITAT, Nagpur