

**IN THE INCOME TAX APPELLATE TRIBUNAL
"F" BENCH, MUMBAI**

**SHRI ARUN KHODPIA, ACCOUNTANT MEMBER
SHRI RAHUL CHAUDHARY, JUDICIAL MEMBER**

**ITA No.7966/MUM/2025
(Assessment Year:2018-2019)**

**Deputy Commissioner of Income Tax,
Central Circle 8(1), Mumbai**

Room No.656, 6th Floor, Aaykar Bhavan,
M.K.Road, Mumbai – 400020. Maharashtra

..... **Appellant**
Vs

**Veda Real Estate Corporation Private
Limited**

4th Floor, Scksaria Chambers, 139,
N.M.Road, Fort, Mumbai – 400001.
Maharashtra.

[PAN: AADCB8408M]

..... **Respondent**

Appearance

For the Appellant/Department : Shri Kavita Kaushik
For the Respondent/ Assessee : Shri Pankaj Jain

Date

Conclusion of hearing : 04.02.2026
Pronouncement of order : 20.02.2026

ORDER

Per Rahul Chaudhary, Judicial Member:

1. The present appeal preferred by the Assessee is directed against the order, dated 15/04/2025, passed by the Commissioner of Income Tax (Appeals) – 50, Mumbai [hereinafter referred to as 'the **CIT(A)**'] whereby the Ld. CIT(A) had partly allowed the appeal against the Assessment Order, dated 31/03/2023, passed under Section 143(3) read with Section 147 of the Income Tax Act, 1961 [hereinafter referred to as 'the **Act**'] for the Assessment Year 2018-2019.
2. The appeal preferred by the Revenue is delayed by 150 days. In the application seeking condonation of delay Revenue has been explained that the delay in filing the appeal is purely inadvertent and occurred

due to bonafide administrative reasons. The delay in filing appeal was not deliberate and for reasons beyond control. We have no reasons to doubt the aforesaid explanation offered by the Revenue. In the case of **Collector of Land Acquisition Vs. Mst. Katiji & others AIR 1987 1353 (SC)** the Hon'ble Supreme Court has, while dealing with the issue of condonation of delay, emphasized that substantial justice should prevail over technical considerations. Refusing to condone delay can result in a meritorious matter being thrown out at the very threshold. As against this, when delay is condoned, the highest that can happen is that a cause would be decided on merits after hearing the parties. In the present the Appellant has provided sufficient explanation for delay in filing the appeal before the Tribunal. In our view, no benefit would have accrued to the Appellant by delaying filing of appeal. When substantial justice and technical consideration are pitted against each other, the cause of substantial justice deserves to be preferred. Therefore, delay of 150 days in filing the present appeal is condoned. Accordingly, we proceed to examine the grounds raised in the present appeal.

3. We have heard both the sides and have perused the material on record.
4. It emerges that the assessment was framed on the Assessee for the Assessment Year 2018-2019 by way of Assessment Order, dated 31/03/2023 passed under Section 147 of the Act. The appeal preferred by the Assessee before the Learned CIT(A) was partly allowed by the Learned CIT(A), vide order, dated 15/04/2025. The Assessee had challenged the validity of reassessment proceedings as well as the addition made on merits in appeal before the Learned CIT(A). Vide order, dated 15/04/2025, the Learned CIT(A) rejected the challenge to validity of reassessment proceedings and granted partial relief to the Assessee. Being aggrieved, Assessee preferred appeal in ITA No.3217/Mum/2025 for the Assessment Year 2018-2019 before this

Tribunal challenging the above order passed by the Learned CIT(A) vide Common Order dated 28/11/2025, Tribunal concluded that the Assessment Order passed under Section 147 read with Section 148 of the Act was bad in law and thus allowed Assessee's challenge to the validity of the reassessment proceedings.

5. The present appeal has been preferred by the Revenue challenging the order passed by the Learned CIT(A) to the extent the Learned CIT(A) had granted relief to the Assessee on merits. Since, the Tribunal has already held the Assessment Order, dated 31/03/2023, passed under Section 147 of the Act for the Assessment Year 2018-2019 to be bad in law, the entire addition made by the Assessing Officer stands deleted. Therefore, the present appeal preferred by the Revenue challenging the relief granted by the Learned CIT(A) on merits has been rendered infructuous. Accordingly, the present appeal preferred by the Revenue is dismissed.
6. In terms of above, the present appeal preferred by the Revenue is dismissed.

Order pronounced on 20.02.2026.

Sd/-
(Arun Khodpia)
Accountant Member

Sd/-
(Rahul Chaudhary)
Judicial Member

मुंबई Mumbai; दिनांक Dated :20.02.2026
Milan, LDC

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

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. आयकर आयुक्त/ The CIT
4. प्रधान आयकर आयुक्त / Pr.CIT
5. विभागीय प्रतिनिधि , आयकर अपीलीय अधिकरण , मुंबई / DR,
ITAT, Mumbai
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,

सत्यापित प्रति //True Copy//

उप/सहायक पंजीकार / (Dy./Asstt. Registrar)
आयकर अपीलीय अधिकरण, मुंबई / ITAT, Mumbai