



IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCHES "SMC", PUNE

BEFORE DR.MANISH BORAD, ACCOUNTANT MEMBER

आयकर अपील सं. / ITA No.2739/PUN/2025

Assessment Year : 2016-17

Chanda Shamkant Khaire, A-1/18, Yashodhan Soc., Chintamani Nagar, Bibwewadi, Pune 411037 Maharashtra PAN : ALNPK5242Q	Vs.	Income Tax Officer, Ward-5(1), Pune
Appellant		Respondent

Appellant by	:	Shri Sharad Vaze
Respondent by	:	Shri Dayanand Jawalikar
Date of hearing	:	11.03.2026
Date of pronouncement	:	17.03.2026

आदेश / ORDER

The captioned appeal at the instance of assessee pertaining to A.Y.2016-17 is directed against the order dated 18.09.2025 framed by National Faceless Appeal Centre, Delhi arising out of Assessment Order dated 08.03.2024 passed u/s. 147 r.w.s144B of the Income Tax Act, 1961 (in short 'the Act').

2. At the outset, ld. Counsel for the assessee submitted that the impugned addition deserves to be deleted because the addition of Rs.12,40,000/- has been made for sale of immovable property, however, the said sale has already been disclosed by the husband of the assessee in his regular return of income and capital gain has been computed in his return. Secondly, for the addition of Rs.19,89,375/-, Ld. Counsel for the assessee submitted that the same has been made for unexplained investment in purchase of immovable property. However, no addition is called for because the said purchase



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have been made by the assessee's husband for claiming the benefit u/s.54 of the Act against the capital gain earned from sale of immovable property and the same has already been shown in the income tax return of her husband. Similarly for the variation in respect of short term capital gain at Rs.6,41,185/-, he submitted that no such capital gain has been earned by the assessee. A prayer has been made to grant an opportunity so that assessee shall furnish the ledger account of Broker Zerodha and also the Demat account. He therefore prayed for restoring the matter to the file of Id. Jurisdictional Assessing Officer for necessary adjudication.

3. On the other hand, Id. DR supported the order of Id.CIT(A).

4. I have heard the rival contentions and perused the record placed before me. On due consideration of the record and the contentions made by Id. Counsel for the assessee, I find that addition of Rs.12,40,000/- and Rs.19,89,375/- has direct correlation with the income tax return of the assessee's husband. Assessee has filed copy of Acknowledgement of income tax return but its computation of income is not furnished. It is claimed that the assessee's husband has shown sale of immovable property and also the investment in immovable property for claiming the benefit u/s.54 of the capital gain for the income earned from sale of immovable property. Similarly for the issue of addition of short term capital gain at Rs.6,41,185/-, it is stated that may be the assessee's name is appearing as a joint holder in the Demat account and also the ledger account in Zerodha App. It is stated that no such short term capital gain from of equity



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share has been earned by the assessee during the year. However, necessary supporting documents could not be filed before the authorities. Considering the prayer made by ld. Counsel for the assessee and in the interest of justice, I deem it appropriate to restore the issues to the file of ld. Jurisdictional Assessing Officer for afresh adjudication. Needless to mention that ld.JAO shall afford reasonable opportunity in the set aside proceedings. Assessee is also directed to remain vigilant and make satisfactory compliance to the notice(s) of hearing issued by ld.JAO and should refrain from taking adjournments unless otherwise required for reasonable cause. Effective grounds of appeal raised by the assessee are allowed for statistical purposes.

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

Order pronounced on this 17th day of March, 2026.

Sd/-
(MANISH BORAD)
ACCOUNTANT MEMBER

पुणे / Pune; दिनांक / Dated : 17th March, 2026.

Satish



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

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The Pr. CIT concerned.
4. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, "SMC" बेंच,
पुणे / DR, ITAT, "SMC" Bench, Pune.
5. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

Assistant Registrar,
आयकर अपीलीय अधिकरण, पुणे / ITAT, Pune.