

IN THE INCOME TAX APPELLATE TRIBUNAL “SMC” BENCH: KOLKATA
[Before Shri Mahavir Singh, JM]

I.T.A No.1355/Kol/2015
Assessment Year: 2008-09

M/s. Lighthouse Marketing (P) Ltd.
(PAN: AAACL8946P)
(Appellant)

Vs. Income-tax Officer, Wd-1(4), Kolkata
(Respondent)

Date of hearing: 22.02.2016
Date of pronouncement: 22.02.2016

For the Appellant: N o n e
For the Respondent: Shri Rajat Kumar Kureel, JCIT, Sr. DR

ORDER

This appeal by assessee is arising out of order of CIT(A)-5, Kolkata vide Appeal No. 152/CIT(A)-5/W-1(4)/09-10/14-15 dated 26.08.2015.

2. The first issue in this appeal of assessee is against the order of CIT(A) confirming the action of AO in making adjustment u/s. 143(1) of the Act.

3. I have heard Ld. Sr. DR and gone through facts and circumstances of the case. I find that this issue was not adjudicated by CIT(A) and moreover, on merits also he has not passed a speaking order. According to assessee before CIT(A) that the jurisdiction u/s. 143(1) of the Act for making adjustment is limited only but this issue was not adjudicated by CIT(A). Hence, the order of CIT(A) is set aside and matter is remanded back to him for fresh adjudication and to pass a speaking order after taking into consideration of all facts. Appeal of assessee is allowed for statistical purposes.

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

Order pronounced in the open court.

Sd/- (Mahavir Singh)
Judicial Member

Dated : 22nd February, 2016

Jd. Sr. P.S

Copy of the order forwarded to:

1. Appellant – M/s. Lighthouse Marketing (P) Ltd., C/o Salarpuria Jajodia & Co., 7, C. R. Avenue, Kolkata-700 072
2. Respondent – ITO, Wd-1(4), Kolkata.
3. CIT(A) , Kolkata
4. CIT , Kolkata
5. DR, Kolkata Benches, Kolkata

/True Copy,

By order,

Asstt. Registrar.