Principal Commissioner of Income Tax & Anr. v. M/s Unisys India Pvt. Ltd. c/w PCIT (Central) v. Shri H.K. Suresh

Income Tax Appeal No. 55 of 2024 c/w Income Tax Appeal No. 216 of 2023

ITA No. 55 of 2024 c/w ITA No. 216 of 2023 (Reportable, Karnataka HC, decided 2026-07-07) | 2026-07-07

Authenticated electronic DIN intimations sustained the orders; Revenue appeals allowed and Tribunal appeals remitted for merits.

Income-tax Act,1961: sections 119, 263, 260A

High Court of Karnataka | 2-judge bench (Division Bench, Bengaluru) | Justice S.G. Pandit | Justice K.V. Aravind

Assessment years: 2017-18 (Unisys), 2011-12 (H.K. Suresh)

01 FACTS OF THE CASE

The common judgment concerns Unisys India Pvt. Ltd. in ITA 55/2024, AY 2017-18, and H. K. Suresh in ITA 216/2023, AY 2011-12. Unisys challenged DRP directions dated 29 June 2022 and the ensuing final assessment; Suresh challenged a section 263 order dated 15 March 2021. The original orders lacked a correctly stated DIN, but electronic intimations identified the orders and their DINs. The ITAT had invalidated the proceedings.

Source: PDF pp.3–8, case histories

02 DISCUSSION BY THE HON'BLE COURT

The Court read Circular 19/2019 with Systems Instruction 5 dated 25 October 2019. DIN remained mandatory, but an authenticated intimation identifying and accompanying the electronic order could establish its audit trail. An intimation's DIN mistakenly quoted in place of the order's DIN did not defeat the correctly identified order. In Suresh's case the Court examined the Tribunal record and rejected the challenge to the intimation's presence and authenticity.

Source: PDF pp.15–32, record examination and conclusions

03 JUDICIAL DECISION

Both Revenue appeals were allowed. The ITAT orders dated 31 May 2023 in IT(TP)A 851/Bang/2022 and 6 December 2022 in ITA 625/Bang/2021 were set aside. Both appeals were remitted to the Tribunal to decide the remaining issues and grounds. No costs were ordered.

Source: PDF pp.32–33, para 47

04 OUTCOME / IN WHOSE FAVOUR

Revenue succeeded on the DIN question; the assessment and revision merits were not finally determined by this judgment.

Source: PDF p.33, para 47(iv)

05 EXPERT COMMENTS

AKHB Expert Comments — editorial analysis, distinct from the Court's findings.

DIN remained mandatory: The judgment does not dispense with DIN. Its reasoning accepts an authenticated electronic communication that identifies the particular order and preserves traceability. The conclusions distinguish such communication from a case where DIN was neither generated nor communicated. The accompanying intimation must be examined; not every missing DIN is harmless. (PDF pp.30–32, conclusions)

Verify the order and intimation as one evidentiary bundle: The Court distinguished the DIN allotted to the order from the separate DIN of the intimation. Correct identification by date, provision and authentic electronic record mattered where the wrong DIN had been manually quoted. For Suresh, the taxpayer's own Tribunal appeal papers supported the presence of the disputed intimation. The complete received bundle is essential. (PDF pp.15–17,28–30)

Electronic communication and manual exceptions are different: The Court treated these electronically generated intimations within the ITBA system differently from exceptional manual communications requiring the circular's prescribed approvals. This is not a general section 292B cure. (PDF pp.18–27,30–32)

Remand preserves the unresolved merits: The Revenue victory removes the Tribunal's DIN-based disposal; it does not decide Unisys's substantive assessment issues or the merits of the section 263 revision against Suresh. The taxpayers, years and original orders remain distinct despite common reasoning. (PDF pp.32–33, para 47)

Source: PDF pp.30–32, conclusions

SOURCE & VERIFICATION

High Court of Karnataka official judgment PDF - AKHB Repository (20260707_KAHC010041072024.pdf)

All 33 original pages read and visually reviewed; source hash verified.

Source and all five panels checked on 21 October 2026.

Open cited source rendition

STATUTORY SCOPE

Sections indexed from this order; current law not independently verified.

LATER TREATMENT

Source checked 2026-10-21. Subsequent proceedings and current judicial treatment have not been independently verified.

AI DISCLOSURE

AI-assisted research checked against the identified source. Extraction, interpretation or omission errors remain possible. Source review does not mean independent approval by a practising professional. Verify every material statement against the complete original judgment.

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