

Manju Diamonds Pvt. Ltd.

ITA No. 2766/MUM/2025

ITAT • Mumbai | Source extract brief | 29 source pages

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01 FACTS OF THE CASE

“This appeal by the Revenue is directed against the order dated 14.02.2025 passed by the Learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre, Delhi [hereinafter referred to as "Ld. CIT(A)"], for the Assessment Year 2017-18. The Revenue has impugned the findings of the Ld. CIT(A) on several grounds, principally revolving around the deletion of an addition of ₹75,50,000/- made under Section 68 of the Income-tax Act, 1961” (source PDF page 1)

02 DISCUSSION BY THE HON'BLE TRIBUNAL

“We have heard rival submissions on the issue of the admission of the grounds raised in Application filed under Rule 27 of the Rules. We find that the legal ground raised in Rule 27 were raised before the Ld. CIT(A) but the Ld. CIT(A) though has discussed the issue of validity of the reassessment u/s 147 of the Act in favour of the assessee but no specific finding has been given in respect of ground No. 1 raised in application under Rule 27 of the ITAT Rules settled that a legal plea going to the root of the matter, and which affects the very jurisdiction of the assessing entertained at any stage of the proceedings. The objection as to the ...” (source PDF page 4)

03 JUDICIAL DECISION

“In the result, the appeal of the Revenue is allowed for statistical purposes whereas the application under Rule 27 of /07/2025.” (source PDF page 29)

04 OUTCOME — IN FAVOUR OF

Revenue: procedural/statistical relief only. A remand or statistical allowance does not finally decide the underlying tax merits. Review the operative directions for each ground.

05 AKHB REVIEW POINT

Prepare the evidence and service chronology for the restored proceedings; identify the authority receiving the remand and comply with its hearing directions. The remand does not delete tax on its own.

SOURCE & VERIFICATION

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AI DISCLOSURE

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