

आयकरअपीलीयअधिकरण, 'ए' न्यायपीठ,चेन्नई  
IN THE INCOME-TAX APPELLATE TRIBUNAL 'A' BENCH, CHENNAI

श्रीयस यस विश्वनेत्र रवि, न्यायिक सदस्य एवं सुश्रीपदमावती यस, लेखा सदस्यके समक्ष  
BEFORE SHRI SS VISWANETHRA RAVI, JUDICIAL MEMBER AND  
MS. PADMAVATHY.S, ACCOUNTANT MEMBER

आयकरअपीलसं./I.T.A.No.3635/Chny/2026  
निर्धारणवर्ष/Assessment Year: 2022-23

Egberts India Private Limited,  
Newry Grandeur, No 19, Old No 11, B  
Block, 2nd Avenue, Anna Nagar East,  
Chennai, Tamil Nadu,  
600102.

Vs. The ITO,  
Corporate Ward 2(3),  
Chennai.

**[PAN: AAACE1410F]**

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थीकीओरसे/ Appellant by : Mr. Santhana Krishnan, CA  
प्रत्यर्थीकीओरसे/ Respondent by : Ms. R. Anita, CIT

सुनवाईकीतारीख/Date of hearing : 24.09.2026  
घोषणाकीतारीख /Date of Pronouncement : 13.10.2026

**आदेश /O R D E R J**

**PER S.S. VISWANETHRA RAVI, JUDICIAL MEMBER:**

This appeal filed by the assessee is directed against the order dated 30.01.2026 passed by the Id. Commissioner of Income Tax (Appeals), Delhi for the assessment year 2022-23.

2. We find that this appeal was filed with a delay of 87 days. The assessee filed an affidavit accompanied by a petition explaining the reasons. On perusal of the same and upon hearing both the parties, we

find that the reasons explained by the assessee are bona fide, which really prevented the assessee from filing the appeal in time. Thus, the delay of 87 days is condoned.

3. At the outset, it is noted that the AO determined the assessee's income at Rs. 21,31,16,511/- as against the returned income of Rs. 5,88,38,660/-, *inter alia*, making additions under Sections 68 and 69 of the Income-tax Act, 1961 (for short, "the Act"), *vide* order dated 25.03.2024 passed under Section 143(3) read with Section 144B of the Act.

4. On perusal of the assessment order, we note that the AO issued notices under Section 142(1) and show-cause notices requiring the assessee to furnish the relevant details. As evident from paragraph No. 9 at page No. 2 of the assessment order, the AO asked the assessee to furnish details of the purchase of time deposits during FY 2021–22 and to explain their nature and source, along with supporting documents. The AO similarly asked the assessee to furnish details regarding the increase in share capital. However, as appears from pages 4 and 5 of the assessment order, the AO proceeded to make additions of Rs. 5,42,87,785/- and Rs. 10,00,00,000/- on account of unexplained cash credit and unexplained investment, respectively, in the absence of material evidence supporting the assessee's contentions. Further, on perusal of pages 14 to 16 of the impugned order, we note that the Ld. CIT(A) categorically held that there was no evidence supporting the contentions raised in the first appellate proceedings. Therefore, it is clear that the additions made by the AO were confirmed by the Ld. CIT(A) because the assessee had not submitted the required material evidence

in support of its claims. Before us, the assessee filed a petition seeking admission of additional evidence in the form of a paper book.

5. The Ld. AR, Mr. Santhana Krishnan, CA, submitted that the additional evidence at pages 1 to 14 constitutes material necessary for the fair adjudication of the disputed issues and requested that the matter be remanded to the file of the AO for fresh consideration.

6. The Ld. DR, Ms. R. Anita, CIT, reported no objection.

7. After hearing both parties and in view of the discussion made hereinabove, we note that there was no evidence before the AO or the Ld. CIT(A) in support of the issues relating to the increase in share capital and the purchase of time deposits. On perusal of the paper book containing the additional evidence, we note that the assessee has filed acknowledgments of the returns of income for AYs 2021–22 and 2022–23, bank statements for the period from 01.04.2021 to 31.03.2022, customer-wise statements of advances received from customers, including each customer's PAN, and a communication dated 19.08.2024 conveying the addition of the case to the Local Committee on High-Pitched Scrutiny Assessments. We find merit in the Ld. AR's submission that the aforesaid documentary evidence is necessary for the fair adjudication of the disputed issues. Therefore, we deem it proper to remand the matter to the file of the AO for fresh consideration. The assessee is at liberty to file any further evidence in support of its claims. Accordingly, the order of the Ld. CIT(A) is set aside, and the grounds raised by the assessee are allowed for statistical purposes.

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

Order pronounced on 13<sup>th</sup> October, 2026 at Chennai.

Sd/-  
(S. PADMAVATHY)  
Accountant Member

Sd/-  
(S.S. VISWANETHRA RAVI)  
Judicial Member

Chennai, Dated: 13.10.2026

**MM**

आदेशकीप्रतिलिपिअग्रेषित/Copy to:

1. अपीलार्थी/Appellant,
2. प्रत्यर्थी/ Respondent,
3. आयकरआयुक्त/CIT, Chennai/Madurai/Coimbatore/Salem
4. विभागीयप्रतिनिधि/DR &
5. गार्डफाईल/GF.

**SAG** | blog

**MANISH**  
**MISHRA**  
Digitally signed  
by MANISH  
MISHRA  
Date: 2026.10.14  
12:12:54 +05'30'