

Court No. - 39

Case :- INCOME TAX APPEAL No. - 47 of 2019

Appellant :- Principal Commissioner Of Income Tax(Central)

Respondent :- M/S Alberta Merchants Pvt. Ltd.

Counsel for Appellant :- Manu Ghildyal

Counsel for Respondent :- Rahul Agarwal

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Shiv Shanker Prasad,J.

1. Heard Sri Manu Ghildyal, learned counsel for the appellant-revenue and Ms. Upasna Agrawal, Advocate, holding brief of learned counsel for the respondent- assessee.

2. Present appeal has been filed under Section 260-A of the Income Tax Act, 1961, (hereinafter referred to as the 'Act') arising from the order dated 11.10.2018 passed by the Income Tax Appellate Tribunal, Agra Bench, Agra in Income Tax Appeal No. 309/Agra/2017 for A.Y. 2010-11.

3. The present appeal has been pressed on the following substantial question of law :

"4. Whether on the facts and circumstances of the case and in law, the order of the ITAT was perverse on the ground that while deleting the addition of unexplained credits in the hands of assessee company, it did not allude to the material facts, chain of transactions and probative value of the statements and other incriminating facts as pointed out in the assessment order of the assessee as well as that of the investing entities, thus violating the ratio of judgment in case of Sudarshan Silk and Sarees 300 ITR 205 (SC)?"

4. By a detailed order passed today, **Income Tax Appeal No. 46 of 2019 (Principal Commissioner of Income Tax Vs. M/s PNC Infratech Ltd.)** has been dismissed. For the reasons contained in that order, the present appeal must meet the same fate. Accordingly, the present appeal is also **dismissed**.

Order Date :- 30.11.2023

Abhilash

(Shiv Shanker Prasad, J.) (S. D. Singh, J.)