Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 356 OF 2024

WITH

INCOME TAX APPEAL NO. 362 OF 2024

Commissioner of Income Tax …Appellant

Versus

Ratnagiri Stainless Pvt Ltd …Respondent

Mr Akhileshwar Sharma, *(through VC), for the Appellants in both matters.*

CORAM **M.S. Sonak &**
Advait M. Sethna, JJ.
DATED: **07 November 2025**

PC:-

1. Heard Mr Sharma for the Appellants in both these Appeals.

2. The tax effect in both these Appeals is less than Rs. 2 Crores. However, Mr Sharma submitted that since the bogus purchase is involved, these Appeals would be covered by the exceptions provided under the CBDT circulars. Accordingly, we have heard Mr Sharma on merits.

3. Mr Sharma submits that these Appeals be admitted on the substantial questions of law referred to in the Appeal memo. However, for reasons briefly indicated hereafter, we are satisfied that these raises no substantial questions of law.

4. Though, this is a case of bogus purchases, the Assessing Officer made an addition of only 12.5% by estimating the gross profits. The Income Tax Appellate Tribunal has now remanded the matter to reconsider the issue of estimation. This remand was at the behest of the assessee because the Revenue had not challenged the estimation of 12.5% maintained by the CIT (Appeals).

5. In the above circumstances, the issue involved in both these Appeals which pertained to the same assessee but for different assessment years, is basically an issue of estimation of gross profits. Such an issue gives rise to no substantial question of law. We have declined to admit similar Appeals in similar circumstances. This is evident from our order dated 22 January 2025 disposing of Income Tax Appeal No. 517 of 2021 and Income Tax Appeal No. 528 of 2021.

6. For the above reasons, we decline to admit these Appeals and dismiss the same without any costs order.

(Advait M. Sethna, J) **(M.S. Sonak, J)**