**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**
**INCOME TAX APPEAL(IT) NO. 29 OF 2024**

Pr Commissioner of Income Tax 1 ...Appellant
**Versus**
Jayant Ashok Joshi ...Respondent

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**Mr. A. K. Saxena** for the Appellant.

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**CORAM : M.S. Sonak &**
**Advait M. Sethna, JJ.**

**DATED : 06 November 2025**

**P.C.:-**

**1.** Heard Mr. Saxena for the Appellant.

**2.** We admit this Appeal on the following substantial question of law:-

> Whether on the facts and circumstances of case and in law, the Tribunal erred in deciding the appeal merely on the ground of low tax effect and holding that the case does not fall under exception and not deciding the case on merit in the light of decision of the Hon'ble Gujrat High Court in Tax Appeal No.242 of 2003 dated 20/06/2016 in the case of N.K. Proteins Ltd. Vs DCIT wherein it has been held that once the purchases are bogus, additions should be made on the entire purchases and not only the profit embedded in such purchases against which

the SLP filed by the assessee was dismissed by the Hon'ble Apex Court vide (2017) 292 CTR 354 (SC), in respect of bogus purchases of Rs.89,89,227/-from hawala dealers?

**3.** Mr. Saxena states that immediate steps would be taken to serve the Respondent and an affidavit of service will be filed.

**4.** Tag this Appeal with Income Tax Appeal No.158 of 2019 and connected matters.

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