Sayali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 653 OF 2025

Principal Commissioner of Income Tax 42 …Appellant

Versus

Ashwin Moolchand Madhani …Respondent

Mr Ravi Rattesar, for Appellant

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

DATED: 11 November 2025

PC:-

1. Heard Mr. Rattesar for the Appellant.

2. Though the tax effect in this Appeal is less than Rs. 2 Crores, Mr. Rattesar relies on the exceptions in the CBDT Circulars. Accordingly, we have heard him on merits.

3. Mr. Rattesar submits that this Appeal may be admitted on the substantial questions of law formulated in the Appeal memo.

4. In this case, the Assessing Officer, while recording a finding of bogus purchases, proceeded to make an addition of only 12.5%.

5. The Revenue did not challenge this order, but the Assessee appealed the same, and this Appeal was dismissed, maintaining the addition to the extent of 12.5%. Surprisingly, the Revenue instituted an Appeal before the ITAT, this time questioning the addition of 12.5%.

6. These are all matters of estimation, giving rise to no questions of law. Similar Appeals have been dismissed by us as involving no substantial questions of law.

7. Accordingly, we dismiss this Appeal on the ground that it does not involve any substantial question of law.

8. No costs.

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