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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ITA 150/2026

THE COMMISSIONER OF INCOME TAX - INTERNATIONAL TAXATION -3 .....Appellant

Through: Mr. Ruchir Bhatia, SSC and Mr. Anant Mann and Mr. P. Gupta, JSCs and Ms. Lopamudara Mahapatra, Adv.

versus

RAJAN SHARMA .....Respondent

Through: Mr. Ved Jain, Mr. Nischay Kantoor and Ms. Soniya Dodeja, Adv.

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MS. JUSTICE RENU BHATNAGAR

O R D E R

% 25.02.2026

CM APPL. 12728/2026 (*delay 03 days in filing appeal*)

1. For the reasons stated in the application, the delay of 03 days in filing the appeal is condoned.

2. The application stands allowed.

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3. By way of the instant appeal, the appellant has challenged the order of the Income Tax Appellate Tribunal (*hereinafter referred to as 'the Tribunal'*) dated 12.08.2025 whereby the deletion of addition of Rs.21,74,84,000/- that was made by the Assessing Officer (AO) vide his assessment order dated 07.06.2019 has been maintained.

4. Mr. Ruchir Bhatia, learned Senior Standing Counsel for the Income

Tax Department contended that the Tribunal has erred in deleting the addition so made by the AO, which was based on two documents found at the premise of the respondent-assessee during the course of the search.

5. Before proceeding with the matter, we would like to observe that the addition of above-referred amount (Rs.21,74,84,000/-) stood deleted by the Commissioner of Income Tax(Appeals) *via* its order dated 20.07.2022 against which the Department's appeal was rejected by the Tribunal.

6. Though the disputed deletion is essentially finding of facts, yet for the purpose of satisfying ourselves, we have perused the assessment order more particularly page 77 and 81 of the paper-book, wherein, the AO has pasted the scanned copy of the documents found at the assessee's premise.

7. On perusal of the same, we find that some figures have been inscribed on these papers and that neither particulars of any person nor the nature of transaction has been mentioned. Considering that the respondent-assessee is a dealer in property, the apprehension of the AO may be correct, but unless it is supported by any plausible reason or reference to any transaction and tangible material, huge amount cannot be added in the income of the assessee.

8. The appeal, therefore, fails and is disposed of accordingly.

DINESH MEHTA, J

RENU BHATNAGAR, J

FEBRUARY 25, 2026/*ss*