HIGH COURT OF CHHATTISGARH AT BILASPUR

TAXC No. 167 of 2024

BHILAI JAYPEE CEMENT **versus** DEPUTY COMMISSIONER OF INCOME TAX

11/12/2024	Mr. Apurv Goyal, Advocate for the appellant appeared through video conferencing. Mr. Amit Chaudhari and Mr. Vijay Chawla, Advocates for the respondent. Heard. This appeal is admitted for hearing on the following substantial question of law:- “Whether the Income Tax Appellate Tribunal was justified in allowing the appeal of the respondent and thereby upholding the addition of Rs.2,16,33,868/- made by the Assessing Officer and in turn disregarding the findings of CIT(A) that Section 68 cannot be invoked in a case of 'sales' already offered as income in the return of income by recording a finding which is perverse to the record?”

Akhilesh	Issue notice to the respondent. Mr. Amit Chaudhari, learned Standing counsel accepts notice on behalf of the respondent and is granted four weeks time to seek instructions and file affidavit, if any. Let an extra set of appeal memo along with the documents be served to the learned Standing counsel within seven days from today. Issue notice on I.A. No.1/2024, application for grant of stay. Counsel for the respondent may also file reply to I.A. No.01/2024, application for grant of stay. List this case on 13th February, 2025 for hearing on I.A. No.01/2024, application for grant of stay. Sd/- Sd/- **(Sanjay K. Agrawal)** **(Radhakishan Agrawal)** JUDGE JUDGE
