



आयकर अपीलीय अधिकरण "एस एम सी" न्यायपीठ पुणेमें।  
IN THE INCOME TAX APPELLATE TRIBUNAL  
PUNE BENCHES "SMC" :: PUNE

BEFORE DR.DIPAK P. RIPOTE, ACCOUNTANT MEMBER  
AND  
SHRI VINAY BHAMORE, JUDICIAL MEMBER

आयकर अपील सं. / ITA No.2212/PUN/2025

निर्धारण वर्ष / Assessment Year : 2017-18

Tooltech Global Engineering Pvt. Ltd., 401, Beta 1, Giga Space, Viman Nagar,Pune – 411014.	V s	The Income Tax Officer, Ward-7(5), Pune.
PAN: AABCT0205A		
Appellant/ Assessee		Respondent /Revenue

Assessee by	Shri Samir Shah
Revenue by	Shri Ambarnath Khule-JCIT(Through Virtual Hearing)
Date of hearing	27/11/2025
Date of pronouncement	08/01/2026

**आदेश/ ORDER**

**PER DR. DIPAK P. RIPOTE, AM:**

This is an appeal filed by the Assessee against the order of Id.Addl./Joint Commissioner of Income Tax(Appeal)-3, Chennai passed under section 250 of the Income Tax Act, 1961 for the A.Y.2017-18dated 28.07.2025 emanating from the Assessment Order passed under section 143(3) of the Act, dated 26.12.2019. The Assessee has raised the following grounds of appeal :

*"1. On the basis of facts of the case and in law the ld. Commissioner of Income Tax (Appeals) has erred in confirming the action of the*



*Assessing Officer of disallowing Rs 6,00,000 (Rs Six Lakhs) out of professional fees. This action is unjustified and unwarranted.*

*2. Without prejudice to the above the ld. Commissioner of Income Tax (Appeals) has erred on facts of the case and in law in confirming the disallowance of the part payment of professional fees paid to the director of the company.*

*3. The Appellant craves leave to add to and/or amend, modify, withdraw any of the grounds of Appeal.”*

**Submission of ld.AR :**

2. Ld.Authorised Representative(ld.AR) filed a paper book. Ld.AR submitted that the amount of Rs.6 lakhs duly reflects in the ledger account. Ld.AR submitted that the Ledger Account is at page no.17 to 20 of the paper book. Ld.AR submitted that therefore Assessing Officer has erred in making addition of Rs.6 lakhs.

**Submission of ld.DR :**

3. Ld.DR for the Revenue relied on the order of Assessing Officer and ld.CIT(A).

**Findings & Analysis :**

4. We have heard both the parties and perused the records. In this case, Assessee had filed Return of Income for A.Y.2017-18 electronically on 29.11.2017. Assessee's case was selected for complete scrutiny. Accordingly, the Assessing Officer has issued



various notices to the Assessee. The Assessment Order was passed on 26.12.2019 under section 143(3) for A.Y. 2017-18. During the assessment proceedings, Assessing Officer noted that Assessee has claimed payment to Mr.Ravi Sonalkar as professional fees. Assessing Officer verified the return of income filed by the Ravi Sonalkar and noted that he has not shown the entire amount of Rs.10,50,000/-. Assessing Officer also asked assessee to justify the alleged payment of Rs.10,50,000/- along with TDS details. It was noted by the Assessing Officer that Mr.Ravi Sonalkar has not offered Rs.6 lakhs received from Assessee in his Return of Income. Accordingly, Assessing Officer made an addition of Rs.6 lakhs.

5. Aggrieved by the addition, Assessee filed appeal before the Id.CIT(A). Ld.CIT(A) elaborately considered the submission of the Assessee. Ld.CIT(A) noted following facts in the order :

- Ravi Sonalkar has not offered Rs.6 lakhs as income in the Return of Income filed.
- The Form No.26AS does not show Rs.6 lakhs.
- Rs.6 lakhs do not appear in the bank statement of the Assessee as payment to Mr.Ravi Sonalkar.
- Evidence of TDS on Rs.6 lakhs allegedly paid to Ravi Sonalkar has not been filed.
- Assessee has merely relied on the Ledger Account and some invoices, but failed to prove the actual transaction.



5.1 Therefore, Id.CIT(A) confirmed the addition of Rs.6 lakhs. During the hearing, Id.AR again relied on the invoices. It is noted that these invoices are self-made invoices. They do not have any serial number, there is no signature of any official or officer of the Assessee Company, hence, these invoices cannot be relied upon.

6. During the hearing, we specifically asked Id.AR the nature of services provided by Mr.Ravi Sonalkar. Ld.AR could not answer. We also asked Id.AR to prove that the Rs.6 lakhs was spent wholly and exclusively for the purpose of business of the assessee. Ld.AR admitted that he does not have any specific evidence except the invoices.

7. Assessee has debited the impugned expenditure of Rs.6 lakhs in the profit and loss account and claimed u/s.37 of the Act. The pre-condition for any expenditure to be allowed u/s.37 is that the expenditure should be wholly and exclusively for the purpose of the business of the assessee. The onus is on assessee to prove the same. In this case, Assessee has not brought on record any evidence to prove that impugned expenditure was wholly and exclusively for the purpose of the business of the assessee. It is also noted that the Assessing Officer and Id.CIT(A) that Mr.Ravi Sonalkar has not offered the said amount as income in his return of income. Mr.Ravi



Sonalkar is Director of the Assessee Company. It is also noted that said expenditure does not appear in the bank statement of the Assessee. These facts have not been rebutted by Assessee. Therefore, for all the reasons discussed above, the disallowance of Rs.6 lakhs is upheld. Accordingly, Ground No.1 and 2 raised by the Assessee are dismissed.

8. Ground No.3 is general in nature and does not need any adjudication, hence, dismissed.

9. In the result, appeal of the Assessee is dismissed.

Order pronounced in the open Court on 08 January, 2026.

**Sd/-**

**VINAY BHAMORE**  
**JUDICIAL MEMBER**

पुणे / Pune; दिनांक / Dated : 08 Jan, 2025/ SGR

**आदेशकीप्रतिलिपिअग्रेषित / Copy of the Order forwarded to :**

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(A), concerned.
4. The Pr. CIT, concerned.
5. विभागीयप्रतिनिधि, आयकर अपीलीय अधिकरण, "एस एम सी" बेंच, पुणे / DR, ITAT, "SMC" Bench, Pune.
6. गार्डफ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

/ / TRUE COPY / /

Senior Private Secretary  
आयकर अपीलीय अधिकरण, पुणे/ITAT, Pune.