

**SHRI NITIN BHAURAO RAUT**  
**ASSESSMENT YEAR 2012-13**  
**GROUNDS OF APPEAL**

**As regards addition of Rs. 38,07,300/- as unexplained source of income towards investment in property.**

1. Without considering the facts and circumstances of the case, the learned Income Tax Officer, Ward – 3(1), Nashik, has erred in assessing income returned by the assessee of Rs. Nil at a higher amount of Rs. 38,07,300/.
2. In the facts and circumstances of the case and the attendant law, the learned Income Tax Officer, Ward – 3(1), Nashik has erred in making additions of Rs. 38,07,300/- to the total income returned by the assessee as unexplained source of income.
3. The learned Assessing Officer failed to consider the fact the assessee is a non-resident as per provision of Income Tax Act, 1961
4. The learned Assessing Officer failed to consider the residential status of the assessee and completed the assessment considering the residential status as resident which is incorrect and not as per Law.
5. The learned Assessing Officer failed to consider the fact that assessee being a nonresident, the income earned outside India is not taxable in India as per provision of Income Tax Act, 1961.
6. The learned Assessing Officer failed to consider the fact the property purchase by the assessee which is the reason for the alleged addition to income is purchased out of loan funds taken by assessee from HDFC Bank and income earned by assessee outside India.
7. The learned Assessing Officer erred in making the addition without having any documentary evidence.
8. The assessment order is passed not in keeping with the provisions of law and natural justice and the same needs to be cancelled.

# Grounds Of Appeal In Service Tax

**PT Brinkman**



**Grounds Of Appeal In Service Tax:**

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