

**IN THE INCOME TAX APPELLATE TRIBUNAL  
VISAKHAPATNAM BENCH, VISAKHAPATNAM**

**BEFORE SHRI V. DURGA RAO, HON'BLE JUDICIAL MEMBER &  
SHRI D.S. SUNDER SINGH, HON'BLE ACCOUNTANT MEMBER**

**ITA No. 160/VIZ/2018  
(Asst. Year : 2014-15)**

Karinki Venkata Peddi Raju, vs. ITO, Ward-1,  
D.No. 4-131, Bethpudi, Bhimavaram.  
Bhimavaram, W.G. District.

PAN No. CORPK 6570 C (Appellant) (Respondent)

Assessee by : Shri G.V.N. Hari – Advocate.  
Department By : Smt. Suman Malik – Sr.DR

Date of hearing : 13/11/2018.  
Date of pronouncement : 16/11/2018.

**ORDER**

**PER V. DURGA RAO, JUDICIAL MEMBER**

This appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals)-3, Visakhapatnam, dated 12/02/2013 for the Assessment Year 2014-15.

**2.** There is a delay of 8 days in filing the appeal. The assessee has filed an affidavit along with medical certificate by stating that he suffered from typhoid fever, therefore, he is not able to file appeal in time. We have gone through the affidavit and also the certificate issued by the Doctor and find that there is a sufficient

cause in not filing the appeal in time. Therefore, the delay of 08 days in filing the appeal has to be condoned. Accordingly, we condone the delay and appeal is admitted.

**3.** So far as merits of the case is concerned, the only issue in dispute with regard to unexplained investment of Rs. 3,94,500/-.

**4.** Facts of the case in brief are that assessee is carrying on the liquor business, had introduced a capital/investment to the extent of Rs. 7,89,000/-. The Assessing Officer has asked the assessee to explain the source of capital introduced by him. The assessee has not filed any evidence, therefore, the Assessing Officer has made the addition of Rs. 7,89,000/- under 69 of the Act.

**5.** On appeal before the Id. CIT(A), the assessee has not filed the source of the capital, however, he filed an evidence to the extent of Rs. 4,03,500/- and submitted that addition may be restricted to the extent of source is explained. The Id. CIT(A) has considered explanation of the assessee and found that the assessee has explained the source to the extent of Rs. 4,03,500/-, therefore, he granted relief of Rs. 4,03,500/- (Rs. 7,98,000 – Rs.3,94,500). Before us, the assessee has not filed any evidence in respect of the source of Rs. 3,94,000/-, therefore, we find no reason to interfere with the order passed by the Id. CIT(A). Thus, this appeal filed by the assessee is dismissed.

6. In the result, appeal filed by the assessee is dismissed.

Order Pronounced in open Court on this 16<sup>th</sup> day of Nov., 2018.

Sd/-  
**(D.S. SUNDER SINGH)**  
**Accountant Member**

sd/-  
**(V. DURGA RAO)**  
**Judicial Member**

**Dated : 16<sup>th</sup> November, 2018.**

**vr/-**

Copy to:

1. *The Assessee - Karinki Venkata Peddi Raju, D.No. 4-131, Bethpudi, Bhimavaram, W.G. District.*
2. *The Revenue- ITO, Ward-1, Bhimavaram.*
3. *The Pr.CIT, Rajamahendravaram.*
4. *The CIT(A)-3, Visakhapatnam.*
5. *The D.R., Visakhapatnam.*
6. *Guard file.*

By order

(VUKKEM RAMBABU)  
Sr. Private Secretary,  
ITAT, Visakhapatnam.