

**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**Hyderabad ‘ B ‘ Bench, Hyderabad**  
*(Through Video Conferencing)*  
**Before Shri S.S. Godara, Judicial Member**  
**AND**  
**Shri Laxmi Prasad Sahu, Accountant Member**

ITA No.648/Hyd/2019		
Assessment Year: 2014-15		
Sri Venkata Subbarao Boggarapu, H.No.11-5-413, Flat No.302, Bhavyas Krishna Residency, Red Hills, Lakadikapul, Hyderabad – 500004. PAN No.AFDPB0879E.	Vs.	The Deputy Commissioner of Income Tax, Circle 2(1), Hyderabad.
(Appellant)		(Respondent)
Assessee by:	None	
Revenue by:	Sri Swaroop Mannava - DR	
Date of hearing:	14/09/2021	
Date of pronouncement:	20/09/2021	

**ORDER**

**Per S. S. Godara, J.M.**

This assessee’s appeal for A.Y 2014-15 arises from the CIT(A)-8, Hyderabad’s order dated 01.02.2019, passed in case No.10218/CIT(A)08/Hyd/2017-18 involving proceedings under section 143(3) of Income Tax Act, 1961 (in short, “the Act”).

Case called twice. None appears at the assessee’s behest. It is accordingly proceeded ex-parte.

2. Coming to the assessee's sole substantive grievance that both the lower authorities have erred in law and on facts in making unexplained cash credit's addition of Rs.24,75,000/-, in the course of assessment dated 28.12.2016, we note that the CIT(A)'s detailed discussion to this effect reads as under :

*"8.3 I have carefully' considered the submissions made by the appellant as well as the order of the Assessing Officer. It is the contention of the assessee's AR that the amounts in question were received by the assessee from different relatives as cash gifts, and that by furnishing the confirmations I gift deeds, he has discharged his onus, for which, he has relied upon several judgements of different courts. The evidences furnished and the judgements relied upon have been perused, but they are not found to help the case of the assessee in any manner. By furnishing the confirmation letters (and Aadhar / PAN in a few cases), the assessee's AR has, at best, established their identity. Their credit-worthiness has not been proved, which as per all the Courts, is an important touch-stone for proving the genuineness of a transaction. None of these persons are assessed to tax, for which, the reason advanced by the assessee's AR himself is that their income was below taxable limits. If that be the case, how did they accumulate so much cash that they could gift such huge amounts to the appellant? Neither has the bank account of any of these persons been produced, to prove that they had some substantial source of income. The Sources of the cash deposits, therefore, remain unexplained, and I find that the amounts have been rightly added by the AO as unexplained cash credits u/s.68. The addition made is therefore confirmed and all grounds relating to this issue are dismissed."*

3. Suffice to say, it has come on record that the assessee has failed to prove genuineness as well as creditworthiness of the impugned gifts involving varying sums in case of the family members. We therefore conclude with these facts and circumstances that both the lower authorities have rightly made the impugned addition in assessee's hands under sec 68 of the Act. Ordered accordingly.

4. This assessee's appeal is dismissed in above terms.

Order pronounced in the Open Court on 20<sup>th</sup> September, 2021.

<b>Sd/-</b> <b>(LAXMI PRASAD SAHU)</b> <b>ACCOUNTANT MEMBER</b>	<b>Sd/-</b> <b>(S.S. GODARA)</b> <b>JUDICIAL MEMBER</b>
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Hyderabad, dated 20<sup>th</sup> September, 2021.

*TYNN/sps*

Copy to:

S.No	Addresses
1	Sri Venkata Subbarao Boggarapu, H.No.11-5-413, Flat No.302, Bhavyas Krishna Residency, Red Hills, Lakadikapul, Hyderabad - 500004.
2	The Dy. Commissioner of Income Tax, Circle 2(1), Hyderabad.
3	CIT (A)-8, Hyderabad
4	Pr. CIT - 4, Hyderabad
5	DR, ITAT Hyderabad Benches
6	Guard File

*By Order*