

**IN THE INCOME TAX APPELLATE TRIBUNAL  
Hyderabad ‘ SMC ‘ Bench, Hyderabad**

**Before Shri S.S. Godara, Judicial Member**

ITA (IT) No.40/Hyd/2022		
Assessment Year: 2017-18		
Mrs. Kalpana Reddy, Secunderabad PAN:AKUPR4342L (Appellant)	Vs.	Income Tax Officer International Taxation-2 Hyderabad (Respondent)
Assessee by:	Sri Satyanarayana Moorthy	
Revenue by:	Sri Venkanna Tejwath, Sr DR	
Date of hearing:	15/03/2022	
Date of pronouncement:	21/03/2022	

**ORDER**

This assessee's appeal for the A.Y 2017-18 arise against the CIT(A)-10, Hyderabad's order dated 07.01.2022 passed in case No.ITBA/APL/S/250/2021-22/1038541186(1) in proceedings u/s 143(3) of the Income Tax Act, 1961 ("the Act").

Heard both the parties. Case file perused.

2. The assessee's sole substantive ground raised in the instant appeal challenge correctness of both the learned lower authorities action making 69A additions of cash deposit during demonetization amounting to Rs.9,50,000/- in the course of assessment framed on 7.12.2019 as upheld in the CIT (A) order.

3. It emerges at the outset that this assessee is assessed as a non-resident throughout. Her sole substantive argument is

that the impugned cash deposit had been made from the cash withdrawals of Rs.20,00,000/- as on 19.4.2013 which remained unutilized during all the intervening period.

4. I have given my thoughtful consideration of the rival contentions against and in support of the impugned addition and find no merit in either parties stand(s) in entirety. This is for the clinching reason that neither the assessee has completely reconciled the impugned cash deposits to her foregoing withdrawals involving a long gap of almost more than three and half years, nor the Revenue fails to rebut the clinching fact that this taxpayer is settled abroad without having any day-to-day expenses in India per se. All this leads to a presumption that this assessee had some unutilized cash withdrawals which were later deposited during subject matter of the instant lis. Faced with this situation, I deem it proper that a lumpsum addition of Rs.3.50 lakhs out of Rs.9,50,000/- would be just and proper with a rider that the same shall not be a precedent. Necessary computation shall follow as per law. The assessee gets relief of Rs.6,00,000/-.

5. This assessee's appeal is partly allowed in above terms.

Order pronounced in the Open Court on 21<sup>st</sup> March,2022.

Sd/-

**(S.S. GODARA)**  
**JUDICIAL MEMBER**

Hyderabad, dated 21<sup>st</sup> March, 2022.

***Vinodan/sps***

Copy to:

S.No	Addresses
1	Mr.Smt. Kalpana Reddy, C/o Venugopal & Chenoy, C.A. Tilak Road, Hyderabad 500001
2	Income Tax Officer (International Taxation)-2Hyderabad
3	CIT (A)-10, Hyderabad
4	CIT (IT& TP)- Hyderabad
5	DR, ITAT Hyderabad Benches
6	Guard File

*By Order*