

IN THE INCOME TAX APPELLATE TRIBUNAL  
PUNE BENCH “SMC”, PUNE

BEFORE SHRI S. S. GODARA, JUDICIAL MEMBER

आयकर अपील सं. / ITA No.379/PUN/2021  
निर्धारण वर्ष / Assessment Year: 2014-15

Jaya Vinod Sancheti, 143, Vinod Bunglow, D' Souza Colony, Nashik-422005. PAN : BULPS7281R	Vs.	ITO, Ward-2(2), Nashik.
Appellant		Respondent

Assessee by : Shri Pramod S. Shingte  
Revenue by : Shri M. G. Jasnani  
Date of hearing : 25.07.2022  
Date of pronouncement : 25.07.2022

**आदेश / ORDER**

**PER S. S. GODARA, JM:**

This assessee's appeal for assessment year 2014-15 arises against the National Faceless Appeal Centre, Delhi's order dated 29.07.2021 passed in case no.ITBA/NFAC/S/250/2021-22/103450367(1) involving proceedings u/s 143(3) of the Income Tax Act, 1961; in short “the Act”.

Heard both the parties. Case file perused.

2. Coming to the assessee's sole substantive grievance that both the learned lower authorities have erred in law and on facts in

treating her cash deposits of Rs.19.19 lakhs as unexplained to the extent of Rs.6,80,000/-, it is noticed with the able assistance of both the parties that the Assessing Officer's assessment order dated 23.12.2016 has duly tabulated the said four instances of cash deposits as well as the corresponding source(s) explained as the withdrawals made in August, 2013, November, 2013 vis-à-vis the deposits made on 10.09.2013, 05.12.2013, 14.03.2014 and 20.03.2014; respectively. Learned Assessing Officer therefore treated Rs.2,00,000/-, Rs.1,00,000/- and Rs.1,90,000/- each as unexplained which has been upheld in the lower appellate findings.

3. I have given my thoughtful consideration to rival submissions and find no reason to express concurrence with either one of them in entirety. This is on account of the fact that neither the assessee has been able to explain the genuineness element of its earlier withdrawals getting re-deposited on all four occasions nor the department could highlight anything to the contrary in the taxpayer's cash flow in issue. Face with this situation, I deem it appropriate that a lump sum addition of Rs.2,00,000/- only would be just and proper with a rider that the same shall not be treated as a precedent. Necessary computation shall follow as per law.

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

Order pronounced on this 25<sup>th</sup> day of July, 2022.

Sd/-  
(S. S. GODARA)  
JUDICIAL MEMBER

पुणे / Pune; दिनांक / Dated : 25<sup>th</sup> July, 2022.

*Sujeet (DOC)*

**आदेश की प्रतिलिपि अग्रेषित / Copy of the Order forwarded to :**

1. अपीलार्थी / The Appellant.
2. प्रत्यर्थी / The Respondent.
3. The CIT(A)-NFAC, Delhi.
4. The Pr. CIT concerned.
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, "SMC" बेंच,  
पुणे / DR, ITAT, "SMC" Bench, Pune.
6. गार्ड फ़ाइल / Guard File.

आदेशानुसार / BY ORDER,

// True Copy //

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