

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCH "SMC", PUNE

BEFORE SHRI R.S. SYAL, VICE PRESIDENT

आयकर अपील सं. / ITA No.566/PUN/2021

निर्धारण वर्ष / Assessment Year : 2014-15

Smt. Pushpalata Maruti Ghule, Flat No.101, Daffodis, S.No.140, Magarpatta City, Hadapsar, Pune 411 013 PAN : AEBPS5120C	Vs.	DCIT, Circle-14, Pune
(Appellant)		(Respondent)

Appellant by Shri M.K. Kulkarni
Respondent by Shri M.G. Jasnani

Date of hearing 01-08-2022
Date of pronouncement 01-08-2022

आदेश / ORDER

PER R.S.SYAL, VP :

This appeal by the assessee is directed against the order passed by the CIT(A) on 25-03-2019 in relation to the assessment year 2014-15.

2. The appeal is time barred by 866 days. The assessee has filed an affidavit stating the reasons for the delay, with which I am satisfied. The delay is, therefore, condoned and the appeal is admitted for disposal on merits.

3. The only issue raised in this appeal is the confirmation of addition of Rs.13,73,000/- on account of cash deposited in bank account.

4. Briefly stated, the facts of the case are that the assessee is an individual who filed return declaring total income of Rs.30,95,781/-. During the course of assessment proceedings, the Assessing Officer (AO) observed that a sum of Rs.13,73,000/- was deposited in cash in the bank account of the assessee maintained with Sadhna Sahakari Bank Ltd. Pune. On being called upon to explain the source of deposit in the bank account, the assessee submitted that she was a widow and staying with her only handicapped dependant son having some cultivable land. Considering the fact that the assessee's land holding was less and income therefrom was insufficient to justify the availability of cash deposited in the bank, the AO treated sum of Rs.13.73 lakh as unexplained money u/s.69A of the Act. The Id. CIT(A) confirmed the addition by observing that the assessee sold some property during the year under consideration and this amount was nothing but on-money received by her which was deposited in the bank account. Aggrieved thereby, the assessee has come up in appeal before the Tribunal.

5. I have heard both the sides and gone through the relevant material on record. The assessee has tendered an explanation before the Id. CIT(A) which has been recorded by the CIT(A) in the order stating that her date-wise agricultural income was Rs.3,62,700/-. In

addition, she made withdrawals date-wise totalling Rs.10,72,000/- from her bank account with total amount coming to Rs.14.34 lakh and it was out of this amount, that she deposited Rs.13.73 lakh in the bank account that has been added by the AO. The authorities below have simply brushed aside the explanation of the assessee without showing that such agricultural receipts/withdrawals from the bank were used elsewhere. Taking into consideration the entirety of facts and circumstances of the instant case, I am satisfied that the assessee has genuinely explained the source of deposits in the bank account amounting to Rs.13.73 lakh as emanating from the withdrawals made from the bank account during the same year as well as certain agricultural receipts. I, therefore, order to delete the addition.

6. In the result, the appeal is allowed.

Order pronounced in the Open Court on 01st August, 2022.

Sd/-
(R.S.SYAL)
उपाध्यक्ष/ VICE PRESIDENT

पुणे Pune; दिनांक Dated : 01st August, 2022
Satish

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

1. अपीलार्थी / The Appellant;
2. प्रत्यर्थी / The Respondent;
3. The CIT(A)-7, Pune
4. The Pr.CIT-6, Pune
विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, पुणे "SMC"
5. / DR 'SMC', ITAT, Pune;
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,**// True Copy //**Senior Private Secretary
आयकर अपीलीय अधिकरण ,पुणे / ITAT, Pune

		Date	
1.	Draft dictated on	01-08-2022	Sr.PS
2.	Draft placed before author	01-08-2022	Sr.PS
3.	Draft proposed & placed before the second member	--	JM
4.	Draft discussed/approved by Second Member.	--	JM
5.	Approved Draft comes to the Sr.PS/PS		Sr.PS
6.	Kept for pronouncement on		Sr.PS
7.	Date of uploading order		Sr.PS
8.	File sent to the Bench Clerk		Sr.PS
9.	Date on which file goes to the Head Clerk		
10.	Date on which file goes to the A.R.		
11.	Date of dispatch of Order.		

*