

आयकर अपीलीय अधिकरण 'बी/ एस एम सी' न्यायपीठ चेन्नई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
'B/SMC' BENCH, CHENNAI

माननीय श्री मनोज कुमार अग्रवाल, लेखक सदस्य के समक्ष।
BEFORE SHRI MANOJ KUMAR AGGARWAL, AM

आयकर अपील सं./ **ITA No.1054/Chny/2022**
(निर्धारण वर्ष / **Assessment Year: 2017-18**)

Sultanali Rashida Rehna Manzil, 119, 4 th Main Road, Gandhi Nagar, Adyar, Chennai – 600 020.	बनाम/ Vs.	ITO Non Corporate Ward-15(3), Chennai.
स्थायी लेखा सं./जीआइ आर सं./ PAN/GIR No. AFSPR-2699-B		
(पीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थी की ओरसे/ Appellant by	:	Shri M. Karunakaran (Advocate) – Ld. AR
प्रत्यर्थी की ओरसे/ Respondent by	:	Shri AR.V Sreenivasan (Addl. CIT)-Ld. DR

सुनवाई की तारीख/ Date of Hearing	:	22-02-2023
घोषणा की तारीख / Date of Pronouncement	:	22-02-2023

आदेश / ORDER

1. Aforesaid appeal by assessee for Assessment Year (AY) 2017-18 arises out of the order of learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 11-11-2022 in the matter of an assessment framed by Ld. Assessing Officer [AO] u/s.143(3) of the Act on 21-12-2019.
2. The only grievance of the assessee is confirmation of addition of Rs.5 Lacs which represent cash deposited by the assessee on various dates during demonetization period as tabulated in para-5 of the assessment order. The assessee made aggregate deposit of Rs.6 Lacs. Upon analysis of the cash book for F.Y 2016-17, Ld. AO did not accept the opening cash balance for Rs.2.27 Lacs and reduced the

same to Rs.1.00 Lacs. Further, the receipts of other income of Rs.3 Lacs as reflected by the assessee in the return of income were not accepted as source of cash and addition of Rs.5 Lacs was confirmed. The Ld. CIT(A) endorsed the view of Ld. AO against which the assessee is in further appeal before us.

3. I find that the assessee as reflected other income of Rs.3 Lacs in the return of income which has been accepted by Ld. AO. Therefore, there is no reason to reject the same. The rejection of opening cash balance is also not justified since the same is carried over from earlier years. Therefore, the impugned addition is not sustainable. I direct Ld. AO to delete the same.

4. The appeal sand allowed.

Order pronounced on 22nd February, 2023.

Sd/-

(MANOJ KUMAR AGGARWAL)

लेखा सदस्य / ACCOUNTANT MEMBER

चेन्नई / Chennai; दिनांक / Dated : 22 -02-2023
EDN/-

आदेश की प्रतिलिपि □ ग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी/Appellant 2. प्रत्यर्थी/Respondent 3. आयकर आयुक्त /CIT 4. विभागीय
प्रतिनिधि/DR 5. गार्ड फाईल/GF