

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCHES : C : NEW DELHI

BEFORE SHRI M. BALAGANESH, ACCOUNTANT MEMBER
AND
SHRI ANUBHAV SHARMA, JUDICIAL MEMBER

ITA No.727/Del/2022
Assessment Year: 2017-18

Jagdish Kumar,
H. No.570/20, Durga Colony,
Hansi Distt.,
Hisar,
Haryana.

Vs Pr. CIT,
Rohtak,
Haryana.

PAN: AIZPK3090M

(Appellant)

(Respondent)

Assessee by : None
Revenue by : Mr. Waseem Arshad, CIT, DR

Date of Hearing : 15.01.2024
Date of Pronouncement : 15.01.2024

ORDER

PER ANUBHAV SHARMA, JM:

This is appeal preferred by the Assessee against the order dated 25.02.2022 of the Pr. Commissioner of Income Tax (hereinafter referred to as Ld. PCIT) in Revision No.PCIT, Rohtak/Revision No.263/100000313559 arising out of the assessment order dated 28.12.2019 passed u/s 143(3) of the Income Tax Act, 1961 (hereinafter referred as 'the Act') by the ITO, Ward-5, Hissar (hereinafter referred to as the Ld. AO).

2. Heard and perused the record. None appeared for the assessee at the time of hearing and the notices issued by Registered covers are received back with the report of incomplete address. We have gone through the record and find that the address as provided by the assessee and as mentioned in the assessment orders and the PCIT order stand mentioned on the notices. The Bench Clerk has also informed that earlier a request was received from the assessee on which a phone number was mentioned and even on that phone number the assessee/appellant has been informed. No more opportunity is justified. The Id. DR was heard who supported the order of the Id. PCIT.

3. It comes up that the Id.PCIT had found the order of Id. AO erroneous and prejudicial to the interests of the Revenue for the reason that without taking cognizance of the CBDT Instructions, the order was passed. The issue revolves around questioning of genuineness and credit worthiness of unsecured loans and there is nothing before us other than the impugned order to show that during the assessment proceedings the assessee was otherwise questioned on this aspect and he had satisfied the AO. On the contrary, the assessment order shows that the examination was restricted to only cash deposits during demonetization period. We are of the considered view that although it was a case of limited scrutiny for the reason of large value cash deposits during demonetization period as compared to returned income it does not come up from the assessment order if the question of unsecured loans which had become part of the cash flow

of assessee were also examined. There is no error in the findings of ld. PCIT requiring interference. There is no substance in the grounds.

4. In the result, the appeal of the assessee is dismissed.

Order pronounced in the open court on 15.01.2024.

Sd/-

Sd/-

(M. BALAGANESH)
ACCOUNTANT MEMBER

(ANUBHAV SHARMA)
JUDICIAL MEMBER

Dated: 15th January, 2024.

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Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asstt. Registrar, ITAT, New Delhi