

आयकर अपीलीय अधिकरण 'बी' न्यायपीठ चेन्नई में।
**IN THE INCOME TAX APPELLATE TRIBUNAL
'B' (SMC)BENCH, CHENNAI**

माननीय श्री मनोज कुमार अग्रवाल ,लेखा सदस्य एवं
माननीय श्री मनु कुमार गिरि, न्यायिक सदस्य के समक्ष।
**BEFORE HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM
AND HON'BLE SHRI MANU KUMAR GIRI, JM**

आयकरअपील सं./ ITA No.638/Chny/2024
(निर्धारणवर्ष / Assessment Year: 2017-18)

Ramaswamy Nadar,
11/70-N, Balamalai Road,
Periyanaickan Palayam,
Coimbatore 641 020.

Vs. The Income Tax Officer,
Non Corporate Ward 3(3)
Coimbatore.

[PAN: AECPA 2893M]

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/ Appellant by

: None

प्रत्यर्थी की ओर से /Respondent by

: Shri. S. Easwar, IRS, JCIT.

सुनवाई की तारीख/Date of Hearing

: 20.05.2024

घोषणा की तारीख /Date of Pronouncement

: 29.05.2024

आदेश / ORDER

PER MANU KUMAR GIRI (Judicial Member)

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 23.01.2024 in the matter of assessment order framed by the Ld.AO u/s 143 of the Act on 23-12-2019.

2. Brief facts are that the assessee during demonetization period had deposited in SBNs amounting to Rs.17,95,500/-. Hence, in the absence of proper explanation

AO proceeded with assessment u/s 143(3) of the Act and made an addition u/s 69A as unexplained money. The Ld. CIT(A) confirmed the same since the assessee failed to file any cogent evidence or make proper representation during entire appellate proceedings. Aggrieved, the assessee is in further appeal before us

3. During hearing none has appeared for assessee. The Ld. Sr. DR has pleaded for dismissal of the appeal.

4. Though the assessee has remained negligent, however, keeping in mind the principle of natural justice, we deem it fit to grant another opportunity to the assessee to file cogent evidence, if any, to substantiate its case. Accordingly, the appeal is restored back to learned CIT(A) for denovo adjudication after affording reasonable opportunity of hearing to the assessee. The assessee is directed to substantiate its case forthwith failing which Ld. CIT(A) shall be at liberty to proceed with disposal of appeal on merits.

5. The appeal is allowed for statistical purposes.

Order pronounced in the open court on 29th day of May, 2024 at Chennai.

Sd/-

(मनोज कुमार अग्रवाल)

(MANOJ KUMAR AGGARWAL)

लेखा सदस्य / ACCOUNTANT MEMBER

Sd/-

(मनु कुमार गिरि)

(MANU KUMAR GIRI)

न्यायिक सदस्य / JUDICIAL MEMBER

चेन्नई Chennai:

दिनांक Dated : 29-05-2024

KV

आदेश की प्रतिलिपि अग्रेषित /Copy to :

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकरआयुक्त/CIT, Chennai/Coimbatore/Madurai/Salem.
4. विभागीयप्रतिनिधि/DR
5. गार्डफाईल/GF