

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
MUMBAI BENCH "SMC", MUMBAI**

**BEFORE SHRI AMIT SHUKLA, JUDICIAL MEMBER  
AND  
SHRI RATNESH NANDAN SAHAY, ACCOUNTANT MEMBER**

**ITA No.653/M/2024  
Assessment Year: 2005-06**

<b>Smruti Rahul Narichania</b> M-2, 13 <sup>th</sup> Floor, Palm Spring Cuffe Parade, Mumbai- 400005. <b>PAN: ADZPN7276P</b>	Vs.	<b>ADDL. JCIT(A)-1</b> Aayakar Bhavan , Mumbai-
(Appellant)		(Respondent)

**Present for :**

**Assessee by** : None

**Revenue by** : Shri R. R. Makwana- SR. D.R.

Date of Hearing : 19 . 06 . 2024

Date of Pronouncement : 25 . 07 . 2024

**O R D E R**

**Per : Ratnesh Nandan Sahay, Accountant Member:**

1. This appeal has been filed by the appellant against the Order of the Ld. CIT (Appeals) passed u/s. 250 of the Income Tax Act [the 'Act' in short] vide DIN & Order No. ITBA/APL/S/250/2023-24/1058877599(1) Dated 19/12/2023 for the Assessment Year 2005-06.

2. Following grounds of appeal have been raised by the appellant:

1. *“On the facts and in the circumstances of the case, the Learned Commissioner of Income Tax, Appeal, Addl./JCIT (A)-1, Coimbatore erred in law and in fact in confirming the addition of Rs.4,85,450/-.*  
*Appellant prays that the addition of Rs.4,85,450/- may please be deleted.*
2. *Your appellant craves leave to reserve to herself the rights to add, to alter or amend any of the grounds of appeal at or before the time of hearing and to produce such further evidences, documents and papers as may be necessary.*
3. *That the impugned order being contrary to law, evidence and facts of the case may please be set aside, amended or modified in the light of the grounds deduced above.”*

2. The facts of the case, in brief, are that the assessee is a professional and has passed inter Chartered Accountancy course. It was noticed by the Ld. AO from the bank account of the assessee maintained with Bank of India, that the assessee had deposited cash of Rs.3,57,000/- during the assessment year under consideration. When she was asked by the AO to explain the source of these cash deposits, it was submitted as under: -

- (i) “That the assessee had accumulated cash balance of Rs.4,85,450/- as on 01/04/2004. This accumulated cash balance represented her accumulated income earned by her in last 15 years and gifts received by her in the past years from her near relatives on her weddings, auspicious occasion and festivals and also her household savings which she had

retained in cash with a view to meet certain domestic emergencies.

- (ii) During the relevant previous year, she had deposited the said cash in her bank account with Bank of India to the extent of Rs.2,66,500/- and in certainly Bank of India to the extent of Rs.7,000/- and invested in Mutual Fund.

3. The Ld. AO, however, was not convinced with the above explanation and added a sum of Rs.4,85,450/- as unexplained money u/s. 69A of the Income Tax Act on the ground that the assessee has not been filing income tax return, however, she filed the return in response to the notice u/s. 156A of the Income Tax Act and declared the total income at Rs.48,945/- and shown this as 'income from business and profession' and 'income from other sources.'
4. Aggrieved by the order of the Ld. AO, the assessee filed the appeal before the Ld. CIT(A) who, vide this impugned order, partly allowed the appeal by confirming the addition made by the Ld. AO on account of cash deposits of Rs.4,85,450/- and allowed the deduction u/s.80L of the Income Tax Act.
5. Aggrieved by the order of the Ld. CIT(A), the present appeal has been filed. During the appellate proceedings before us, no one appeared from the appellant side. The D.R. relied on the order of the Ld. AO and the Ld. CIT(A). We have considered the facts of the case and the impugned order

and it is found that the Ld. CIT(A) has examined the bank accounts of the appellant in detail and has given clear cut findings after analyzing the deposits made by the assessee in the bank on various dates. We do not find any infirmity in the order of the Ld. CIT(A) and accordingly, confirm the impugned order.

6. In the result, the appeal is dismissed.

**Order pronounced in the open court on 25.07.2024.**

**Sd/-  
AMIT SHUKLA  
JUDICIAL MEMBER**

**Sd/-  
RATNESH NANDAN SAHAY  
ACCOUNTANT MEMBER**

Mumbai, Dated: 25.07.2024.  
*Snehal C. Ayare, Stenographer*

Copy to: The Appellant  
The Respondent  
The CIT, Concerned, Mumbai  
The DR Concerned Bench

//True Copy//

By Order

Dy/Asstt. Registrar, ITAT, Mumbai.