

**आयकर अपीलीय अधिकरण, हैदराबाद पीठ**  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**Hyderabad 'SMC' Bench, Hyderabad**

**Before Shri Manjunatha, G. Accountant Member**

आ.अपी.सं / **ITA No.769/Hyd/2024**  
(निर्धारण वर्ष / Assessment Year: 2017-18)

Shri Suresh Gowda KARIMNAGAR PAN:AIOPG1853B (Appellant)	Vs.	Income Tax Officer Ward - 2 Karimnagar (Respondent)
निर्धारित द्वारा / Assessee by:	Advocate S K Gupta	
राजस्व द्वारा / Revenue by::	Shri S.P.G. Mudaliar, DR	
सुनवाई की तारीख / Date of hearing:	03/09/2024	
घोषणा की तारीख / Pronouncement:	03/09/2024	

**आदेश/ORDER**

This appeal filed by the assessee is directed against the order dated 13/06/2024 of the learned CIT (A)-NFAC Delhi, relating to A.Y.2017-18.

2. The brief facts of the case are that the assessee filed his Return of Income for AY 2017-18 on 31/03/2018 admitting taxable income of Rs.3,48,570/- and the return was not e-verified by the assessee and the same was invalidated by CPC. The notice u/s 148 of the Income Tax Act was issued on 13/03/2020 which was duly served upon the assessee. In response to the same, assessee in his submission filed bank statement only. As per the

information available with the department, the Assessing Officer noticed that during demonetization period, the assessee has deposited an amount of Rs. 10,18,000/- in cash in his bank account bearing a/c No. 62465766688 maintained with SBH, Siricilla. After verification of the Income tax Return filed by the assessee for the AY 2017-18, the Assessing Officer noticed that the assessee has not disclosed the details of cash deposited during demonetization, in the D21(b)column of the ITR from which was mandated for furnishing the details of cash deposited during demonetization period, whereas the AIMS data shows that the cash deposit during demonetization period is Rs. 10,18,000/-. Thus , the assessee has not shown true particulars of income in his ITR filed for the AY 2017-18.

3. The learned Counsel for the assessee submitted that the Assessing Officer himself has admitted the fact that the impugned bank account from which the Assessing Officer considered cash deposits as unexplained money of the assessee belongs to Sircilla Sizing and Dyeing Development Societies and not in the name of the appellant. The learned Counsel for the assessee further submitted that given an opportunity, the assessee would be in a position to file all the requisite details/ evidences before the Assessing Officer or the learned CIT (A).

4. The learned DR, on the other hand, supporting the orders of the authorities below submitted that since the assessee did not appear before the Assessing Officer and even before the

learned CIT (A) did not furnish the requisite details, hence the learned CIT (A) has rightly dismissed the appeal of the assessee.

5. I have heard both the parties, perused the material available on record and gone through the orders of the authorities below. Admittedly, the assessee did not furnish the requisite details before the Assessing Officer or before the learned CIT (A). Further, PAN of the Society was linked to the Bank Account but when the Bench asked the learned Counsel for the assessee to explain whether the said bank account is considered by the Society in their books of account, he could not explain with relevant evidences. Further, the learned Counsel for the assessee has filed financial statements of the society for the financial year 2006-07 but there is no clarity whether the said Bank account formed part of books of account of the society. Since the facts are not clear with relevant evidences, in my considered view, the issue needs to go back to the file of the Assessing Officer for fresh consideration. Thus, I set aside the order passed by the learned CIT (A) and restore the issue back to the file of the Assessing Officer for denovo consideration. The Assessing Officer is directed to verify the bank accounts of the assessee and also ascertain the source for income for credits found in the bank account is belongs to the Society. In case the appellant is able to establish the fact that the said bank account belongs to the society and also the society has considered the credits found in the said bank account, then the additions made in the hands of the appellant should be deleted.

6. In the result, appeal filed by the assessee is allowed for statistical purposes.

Order pronounced in the Open Court on 3<sup>rd</sup> September, 2024.

Sd/-

**(MANJUNATHA, G.)  
ACCOUNTANT MEMBER**

Hyderabad, dated 3<sup>rd</sup> September, 2024.

***Vinodan/sps***

Copy to:

S.No	Addresses
1	Shri Suresh Gowda, 5-8-85 Prop of M/s. SB Gowda Sizing Works, Gandhi Nagar Sircilla Telangana 505 301
2	Income Tax Officer Ward 2 Near Natraj Talkies, Karimnagar 505001
3	Pr. CIT - Hyderabad
4	DR, ITAT Hyderabad Benches
5	Guard File

*By Order*