

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'SMC', NEW DELHI**

Before Sh. Satbeer Singh Godara, Judicial Member

ITA No. 350/Del/2024 : Asstt. Year: 2017-18

Deepak Goyal, Near Aggarwal Dharamshala, Hassanpur, Palwal, Haryana-121107 (APPELLANT)	Vs	Income Tax Officer, Ward-1(2), Faridabad (RESPONDENT)
PAN No. ACJPG5893N		

Assessee by : None

Revenue by : Sh. Sanjay Kumar, Sr. DR

Date of Hearing: 11.11.2024

Date of Pronouncement: 21.11.2024
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ORDER

This assessee's appeal for Assessment Year 2017-18, arises against the order of CIT(A)/NFAC, Delhi dated 30.11.2023 in case No. ITBA/NFAC/S/250/2023-24/1058347534(1) in proceedings u/s 143(3) of the Income Tax Act, 1961 (in short "The Act").

2. Case called twice. None appears at the assessee's behest. It is accordingly proceeded *ex-parte*.

3. It emerges during the course of hearing that the able assistance coming from the departmental side that both the learned lower authorities have made section 69A unexplained money addition of Rs.10,97,300/- in the course of assessment framed on 01.12.2019 as upheld in the lower appellate findings.

4. The assessee had admittedly made cash deposits of Rs.9,12,000/- and Rs.2,06,500/- in the relevant previous year and attributed source thereof of Rs.8,00,000/- representing

cash withdrawals made on 27.02.2016 and cash sales of Rs.1,85,300/- as previous cash sales. The Revenue could hardly rebut the fact that there is no specific denial of the assessee's said withdrawal figures as well as cash sales proceeds from trading business in building supplies. The facts also remains that the assessee has not been able to explain source of the impugned cash deposits in entirety.

5. It is deem it appropriate in these peculiar facts and circumstances that a lump sum addition of Rs.2,50,000/- in the given facts and circumstances would be just and proper with a rider that the sale shall not be treated as proceedings in other case. The assessee gets relief of Rs.8,47,300/- in other words. His instant sale of substantive grievance is partly accepted.

6. This assessee's appeal is partly allowed in above terms.
Order Pronounced in the Open Court on 21/11/2024.

Sd/-
(Satbeer Singh Godara)
Judicial Member

Dated: 21/11/2023

Subodh Kumar, Sr. PS

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR